CROWN-MAGNATE RELATIONS IN THE PERSONAL RULE OF JAMES I OF SCOTLAND (1424-1437)

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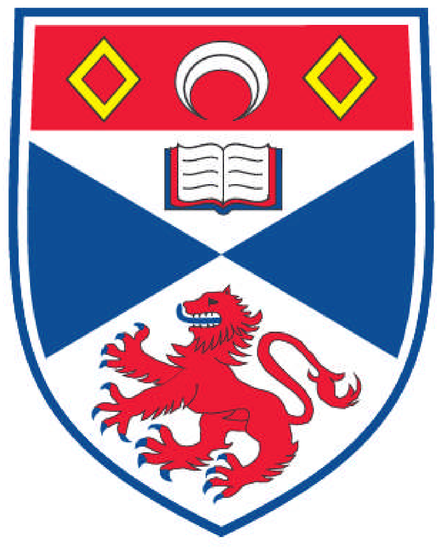
A Thesis Submitted for the Degree of PhD
at the
University of St. Andrews



1992

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by

Michael H. Brown

Submitted in application for the degree of Doctor of Philosophy in the University of St. Andrews

June 1991

Abstract

This thesis is a study of the relations between James I and his most important landed subjects during the thirteen years of his personal reign. The King's active and aggressive approach to monarchy contrasted with the political experiences of the Scottish nobility in the fifty years before 1424. The analysis of this attempt to impose strong kingship in a situation where strong kingship had not been the norm is the most important theme of the thesis. Such an analysis can only be undertaken by establishing the ambitions and activities of the King and his chief subjects at both national and local levels.

The first chapter deals with the political community in 1423-4 and the evidence of their preparations for James' release from England. The immediate effects of James' return are studied in detail, especially his relations with the Earls of Mar, Douglas, Atholl, March and Angus in the first year of the reign. However, the main emphasis of the opening chapters is on the King's dealings with the Albany Stewarts, beginning with the piecemeal round-up of Walter Stewart and his allies and then the gradual establishment of sufficient support for James to launch a general attack on Albany and his family.

Chapter Four deals with the results of Albany's removal for James' position within Scotland. The expansion of royal authority is considered in the ex-Albany Stewart lands and with regard to James' relations with the major surviving magnates, Douglas, Mar and Atholl. The varied fortunes of these three earls indicate the extent and limitations of the King's authority following his initial successes. This is also an important theme in the chapters dealing with the middle section of the reign between 1428 and 1431. This period is dominated by the attack on the Lord of the Isles and the effects of the King's ambitions in the north on the lowland political community. The apparent successes of James in both areas, and the connection between the collapse of his northern plans and the growing difficulties in his relations with the political community are analysed. The effect of the setback which James experienced in 1431, on royal policy is studied by considering the King's aims in the 1430s, and especially his interventions in Mar and March.

The final chapter deals with the motives for James' assassination and the circumstances and immediate aftermath of the murder. As with the rest of the reign, this is best understood in terms of magnate affinities and ambitions and the areas in which such ambitions came into conflict with those of the King.

I, Michael Brown, hereby certify that this thesis, which is approximately 160,000 words in length, has been written by me, that it is the record of work carried out by me and that it has not been submitted in any previous application for a higher degree.

date 7 June 1991 signature of candidate [redacted]

I was admitted as a research student under Ordinance No. 12 in October, 1987 and as a candidate for the degree of Ph.D. in April 1988; the higher study for which this is a record was carried out in the University of St. Andrews between 1987 and 1991.

date 7 June 1991 signature of candidate [redacted]

I hereby certify that the candidate has fulfilled the conditions of the Resolution and Regulations appropriate for the degree of Ph.D. in the University of St. Andrews and that the candidate is qualified to submit this thesis in application for that degree.

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Acknowledgments

Firstly, I would like to thank the British Academy for the award of a Major State Studentship for the years 1987-1990. I am also grateful to the University of St. Andrews for several grants from the Travel Fund and to the Department of Scottish History for further financial assistance.

During the course of my research I received the help and assistance of the staff of the Scottish Record Office, the National Library of Scotland, and the Archives Nationales, for which I am grateful. I should also like to thank the reference staff of the St. Andrews University Library whose efforts have greatly facilitated my research. The staff of the Department of Scottish History at the University of St. Andrews have been most supportive, especially Dr Steve Boardman who has been generous with information and advice in many lively discussions.

I am glad of the opportunity to thank my parents formally for their continued financial and moral support which has been of constant help to me. I would also like to thank my friends in St. Andrews for their advice and encouragement. For valiantly undertaking to type this thesis, for her general assistance and, above all, for her friendship, I am especially grateful to Dr Margaret Connolly. Finally I owe a deep debt of gratitude to my supervisor, Dr Norman Macdougall, who converted me to Scottish History, and who has given generously of his time and knowledge.

List of Contents

Abbreviations

A.B. Coll.:	*Collections for a History of the Shires of Aberdeen and Banff*, ed. J. Robertson, Spalding Club (Aberdeen, 1843).
A.B. Ill.:	*Illustrations of the Topography and Antiquities of the Shires of Aberdeen and Banff*, eds. J. Robertson and G. Grut, 4 vols, Spalding Club (Aberdeen, 1847-69).
A.P.S.:	*The Acts of Parliament of Scotland*, eds. T. Thompson and C. Innes, 12 vols (Edinburgh, 1814-75).
B. Mus.:	British Museum.
C.D.S.:	*Calendar of Documents Relating to Scotland*, ed. J. Bain, 5 vols (Edinburgh, 1881-88).
C.P.R.:	*Calendar of Patent Rolls 1399-1441*, 8 vols (London, 1903-1907).
C.P.R. Letters:	*Calendar of Entries in the Papal Registers relating to Great Britain and Ireland: Papal Letters*, eds. W.H. Bliss and others, 16 vols (London, 1893).
C.P.R. Petitions;	*Calendar of Entries in the Papal Registers relating to Great Britain and Ireland: Petitions to the Pope*, vol.i, ed. W.H. Bliss (London, 1896).
C.S.S.R., i:	*Calendar of Scottish Supplications to Rome*, vol.i, eds. A.I. Cameron and E.R. Lindsay, Scottish History Society (Edinburgh, 1934).

C.S.S.R., ii:	*Calendar of Scottish Supplications to Rome*, vol.ii, ed. A.I. Dunlop, Scottish History Society (Edinburgh, 1956).
C.S.S.R., iii:	*Calendar of Scottish Supplications to Rome*, vol.iii, eds. A.I. Dunlop and I.B. Cowan, Scottish History Society (Edinburgh, 1970).
C.S.S.R., iv:	*Calendar of Scottish Supplications to Rome*, vol.iv, eds. A.I. Dunlop and D. MacLauchlan (Glasgow, 1983).
E.H.R.:	*English Historical Review.*
E.R.:	*The Exchequer Rolls of Scotland*, ed. J. Stuart and others, 23 vols (Edinburgh, 1878-1908).
Foedera:	*Foedera, Conventiones, Litterae et Cuiuscunque Generis Acta Publica*, ed. T. Rymer, 20 vols (London, 1704-35).
H.M.C.:	*Reports of the Royal Commission on Historical Manuscripts*, (London, 1870-).
H.P.:	*Highland Papers*, ed. J.R.N. MacPhail, Scottish History Society, 4 vols (Edinburgh, 1914-34).
James I, Life and Death:	*The Life and Death of King James the First of Scotland*, Maitland Club (Glasgow, 1837).
N.L.S.:	National Library of Scotland.
N.L.S., ADV.:	National Library of Scotland, Advocates Manuscripts Collection.
P.S.A.S.:	*Proceedings of the Society of Antiquaries of Scotland* (Edinburgh, 1851-).

R.C.A.H.M.S.:	*Royal Commission on the Ancient and Historic Monuments of Scotland.*
R.M.S.:	*Registrum Magni Sigilli Regum Scottorum*, eds. J.M. Thomson and J.B. Paul, 11 vols (Edinburgh, 1882-1914).
Rot.Scot.:	*Rotuli Scotiae in Turri Londinensi et in Domo Capitulari Westmonasteriensi Asservati*, ed. D. MacPherson, 2 vols (London, 1814-19).
Scotichronicon:	Walter Bower, *Scotichronicon*, vol. 8, ed. D.E.R. Watt (Aberdeen, 1987).
S.P.:	J.B. Paul, ed., *The Scots Peerage*, 9 vols (Edinburgh, 1904-14).
S.H.R.:	*Scottish Historical Review.*
S.R.O.:	Scottish Record Office.

INTRODUCTION: "OUR LAWGIVER KING"[1]

> The people were ... settled in peaceful prosperity, safe from thieves, with happy hearts, calm minds and tranquil spirits, because the King wisely expelled feuds from the kingdom, kept plundering in check, stopped disputes and brought enemies to agreement.[2]

The image of the lawgiver King, returning after an eighteen year exile and fulfilling his pledge to restore order to his disordered realm, has been the prevailing view of James I from the fifteenth century onwards. This theme of renewed strong kingship specifically relates to the King's behaviour towards the leading members of his nobility. It was the nobility which was held responsible for the "thieving, dishonest conduct and plundering" of the period of his absence in England, and was, at once, the natural source of support and the main threat to any late medieval Scottish King.[3] The development and intensification of this picture of James as the ruler who restored law and order to his kingdom is the major aspect of almost all subsequent accounts of the King.

Our portrait of James I is, at root, the product of one man. Walter Bower, abbot of Inchcolm, concluded his *Scotichronicon* with an account of the King's active reign in Scotland. This account was composed within ten years of James' murder, by a man personally involved in Scottish politics and is, therefore, extremely well-informed about the major events of the reign.[4] Bower was, however, writing the last book of his chronicle as a lament for James from the "precarious state of the realm" and "deceit of the present era" which

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1 *Scotichronicon*, XVI, Ch. 28, l. 15 of the Latin text.
2 *Scotichronicon*, XVI, Ch. 34, l. 1-4.
3 *ibid.*, XVI, Ch. 34, l. 30-31.
4 For details about the date and composition of Book XVI of the *Scotichronicon*, see *Scotichronicon*, xiii-xx.

existed in the 1440s. His view of the King was affected accordingly and there is a general longing for "the golden age of peace" which passed with the assassination of James.[5]

However, although he praised the success which the King enjoyed in first establishing and then maintaining order and peace in Scotland, Bower had no illusions about James' methods:

> He established firm peace within the kingdom and he did not allow magnates or freeholders who were quarrelling among themselves to vent their wrath in open disturbances in their usual way. But wherever he heard that disorder had arisen ... it was immediately quelled by a short letter sent under his signet, for his subjects were so fearful of offending him that no one was ever so high-spirited or masterful as to dare to flout or defy the King's written order or even his oral message. If anyone did oppose him he immediately paid the penalty.[6]

Despite the fact that this passage is praising the ability of the King to control disorder, the suggestion that James kept his subjects in check by fear is also present.

An atmosphere of tension between the King and the nobility is also suggested by the story, which Bower relates, of James' intervention in a fight at court between "a certain great nobleman, a near relative of the King", and another young man. James had the magnate pinioned and ordered the other man to strike the noble's hand with a knife. He was only restrained by the Queen and the prelates who pleaded with James for an hour.[7] Although Bower quotes this as a further example of the King's readiness to combat wrongdoing, it also emphasises the fact that James' subjects were "fearful of offending him". This impression is naturally reinforced by the details which

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5 *Scotichronicon*, XVI, Ch. 1, l. 1, 4-5; XVI, Ch. 35, l. 1.
6 *ibid.*, XVI, Ch. 33, l. 14-22.
7 *ibid.*, XVI, Ch. 33, l. 52-68.

Bower gives of James' treatment of the Albany Stewarts, the Lord of the Isles and the Earls of Douglas and March.

While Bower does not openly censure the King's behaviour in these cases, there are indications that the abbot had doubts about the nature of James' rule. For instance, there is coded criticism of the financial habits of the King. He is said to have been "disposed to the acquisition of possessions" and although Bower adds that James knew "that unjust exactions ... are highly displeasing to God", a lengthy discussion of the morality of taxation is appended to these statements.[8] The *Scotichronicon* also says that as a result of various bouts of taxation, "the people began to mutter against the King" and caused him to alter his financial habits.[9] Other examples of an ambivalent attitude to James relate to his legislative programme. Bower says that James' laws "would have served the kingdom well enough for the future if they had been kept", suggesting that, either before or after the King's death, the statutes had lapsed in practice.[10] Most striking as evidence of such ambivalence is the praise of James' victims, the Albany Stewarts, which appears in one of the manuscripts of the *Scotichronicon*, and which sits ill with the confident assertions of the King's success and the "happy hearts" of his subjects. [11]

There is therefore a degree of contradiction within the *Scotichronicon* between the eulogy for James with which Bower concludes his work and certain reservations about the King in the main part of the book. While the general tone of Bower's work remains very much in favour of James, this evidence of doubts, on the part of the abbot, about his attitude to the King is interesting.

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8 *ibid.*, XVI, Ch. 13, l. 1-4.
9 *ibid.*, XVI, Ch. 9, l. 31-32.
10 *ibid.*, XVI, Ch. 14, l. 28-31.
11 *ibid.*, XVI, Ch. 10, l. 45-52; Ch. 34, l. 2.

Such doubts are also shared by the one other work about James written within two decades of his murder. *The Dethe of the Kynge of Scotis* is an inconsistent source which is considered in depth in relation to the assassination, but it represents the King in a far from favourable light. It contains an attack on James' "covetise" and the description of the King as "so cruelle a tirant, the grettest enemye the Scottes or Scottland myght have".[12] While there are qualifications to the use of this source, it does suggest the existence of a negative perception of the reign in the years following James' death.

Praise of the style of kingship practised by James I is very much the hallmark of the later fifteenth and sixteenth century chronicle accounts of the reign. While the *Liber Pluscardensis*, written in the 1460s, really goes no further in praise of the King, James' reputation becomes, if anything, more enhanced in the accounts written after 1500.[13] The histories of John Major and Hector Boece from the 1520s are the first indications of this trend.[14] Major, writing in favour of union with England, was especially anxious to argue the traditions and benefits of strong kingship in Scotland. He openly praises the King, not just for the administration of justice in general terms, but also for the execution of the Albany Stewarts and the treatment of Douglas which, Major says, served to keep the rest of the nobility in check. Major's verdict on the King emphasises this attitude. "This man indeed excelled by far in virtue his father, his grandfather and his great-grandfather, nor will I

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12 *James I, Life and Death*, 64.
13 *Liber Pluscardensis*, ed., F.J.H. Skene (Edinburgh, 1877-80), XI, Ch. ix.
14 J. Major, *A History of Greater Britain*, Scottish History Series (Edinburgh, 1892), VI, Ch. xi; J. Bellenden, *The Chronicles of Scotland compiled by Hector Boece*, translated into Scots by John Bellenden 1531, Scottish Text Society (Edinburgh, 1938-41), XVII, Ch. ix.

give precedence over the first James to any one of the Stewarts".[15] This theme is, however, developed most fully in the later sixteenth century in the writings of George Buchanan and Bishop John Lesley. The latter concludes his account of James' reign in condemnation of his killers:

> O happie realme! governit with sa kinglie a King; O cruel creatures, quha dang doune sa strang a stay, piller, and uphold of the Realme! O detestable persounis, quha sa bricht a lycht blew out, stinyet sa honourable an ornament! Bot because thir traytoris, like howlets culd nocht suffir to sie the bricht lycht of sa mervellous vertue, with a horrable kynd of deith ... tha war rewardet.[16]

Despite the favourable light in which Lesley viewed the reign he was also aware of a more hostile tradition concerning the King. Lesley says of James that "in the exercise of justice he appeiret mair seveir than becam a King" and repeats a story in Boece that James had 3,000 people executed in three years. Lesley also reported that "sum said that for justice he pretendet old iniuries", though he dismisses this as "malicious invention and false detraction", and ends in praise of the King's "luve of justice".[17] This hostile legacy of James I's reign also surfaces in Boece and Major. Boece criticises the luxury of living which the King introduced into Scottish court life and Major reports a story in which James said to the Queen "that he would leave no man in Scotland save him who was her bed-fellow; and this can be no otherwise interpreted than that he had in mind to put to death his whole nobility".[18] Like Lesley,

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15 Major, *History*, VI, Ch. xiv.
16 *Leslie's Historie of Scotland*, ed. E.G. Cody, Scottish Text Society, 4 volumes (Edinburgh, 1884-95), C, Ch. xlv; G. Buchanan, *The History of Scotland*, trans. J. Aikman (Glasgow and Edinburgh, 1827-29), CII, Ch. xlii.
17 *Leslie's Historie*, C, Ch. 44.
18 Bellenden, *Chronicles*, XVII, Ch. vi; Major, *History*, VI, Ch. xiv.

Major goes on to dismiss the derogatory tales about James as "mere inventions of his enemies", but the existence of a number of similar accusations against the King points to the survival of a perception of James as some kind of tyrant.

The chronicle accounts of James I's reign are consistent in presenting the King as a strong and active ruler, successful in keeping order in a way not experienced by the Scots for a considerable period before 1424 and which led to the period being seen as a "golden age of peace" after his death. The control of magnates' feuds was a major part of this pursuit of order, widely recognised by the early historians of the King. However, the King's motivation and the interpretation of his actions was clearly a matter of dispute. Although an open accusation of tyranny only occurs in one source, there is sufficient evidence in the generally favourable accounts of the reign to suggest doubts about the King's personal qualities.

The effects of this difference of opinion amongst the King's contemporaries and near contemporaries about the nature of his reign are, not surprisingly, evident in modern estimations of James I. The most important of these modern works on the King is E.W.M. Balfour-Melville's book, *James I, King of Scots*. This account, published in 1936, is the only full-length biography of James I, and, despite its age, is the best secondary source of information on the reign. The book covers not just the King's active rule from 1424 to 1437 but Scottish politics in the 1390s and during the Albany governorship. Balfour-Melville used most of the printed and many of the unprinted sources for the reign and his analysis of the evidence for James' exile and of the long negotiations for his release, remains the most comprehensive account of this aspect of the King's life. Likewise,

his study of James I's ecclesiastical and foreign policy is still recognised as two of the book's major strengths.

The general approach of Balfour-Melville to domestic politics in James I's active reign is, however, based predominantly on the evidence of the *Acts of Parliament of Scotland* and the *Exchequer Rolls*. The perception of the King is, therefore, chiefly derived from the legislation of his parliaments and the financial practices of his government and it is not surprising as a result that James is viewed primarily as a legislator and administrator in the book. Although the foundation of James' reputation as a lawgiver rests with Bower, Balfour-Melville saw the King as a zealous reformer using his parliaments to push through a specific programme of legislation to benefit his people directly. As part of this process, James' laws about attendance at parliament by lesser landowners were regarded by Balfour-Melville as an attempt to create a bi-cameral assembly designed to give increased importance to the deliberations of the estates.[19] The legislation of parliament is viewed in the book as the main achievement of the King, and the series of attempts to erode local jurisdictions and prevent abuses of the judicial system as the main thrust of James' efforts to establish the order and stability to which Bower refers. The emphasis of Balfour-Melville's work is shown by the fact that the statutes of each parliament are largely reproduced and analysed in succession as a running view of royal policy.[20]

This perception of the King as a ruler working through parliament to re-structure and reform the government of Scotland tends to lead to events outside meetings of the estates being covered

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19 E.W.M. Balfour-Melville, *James I King of Scots* (London, 1936), 131-32, 156-57, 251-52.
20 *ibid.*, 108-14, 117-20, 130-36, 150-52, 155-59, 171, 182-86, 193-96, 216-17, 230-32.

in a less comprehensive way. This is especially noticeable with regard to the King's relations with specific magnate families. For example, the arrest and execution of the Albany Stewarts is dealt with in only slightly more length than the 1425 parliament and although the motives which Balfour-Melville ascribes to the King may be accurate, there is no systematic attempt to examine the reasons for the King's success or the failure of his opponents.[21] In all his accounts of James' clashes with his nobility, Balfour-Melville relies chiefly on Bower's narrative and sees the King's relations with his nobles as a series of "blows against the magnates".[22] Such clashes are seen in *James I* as evidence of vested interests resisting royal reform. "Broadly, the cause of James' murder was the resentment felt by the nobles at his determined efforts to enforce law and order and to make the King's government respected and obeyed throughout the land".[23] Balfour-Melville's view of James I was based on the combination of the large body of legislation issued by the King's parliaments and the chroniclers' perceptions of royal success in establishing internal order in Scotland. At the same time Balfour-Melville was clearly aware of the negative tradition of the reign.

> His zeal to punish injustice in high places was mingled with personal vindictiveness and an angry temper. His eagerness to make the royal revenue sufficient for the cost of effective administration was coupled with a personal cupidity which incited him to seize all too readily on every opportunity for confiscation.[24]

In the shorter accounts of the reign written since Balfour-Melville's biography these less favourable aspects of James I's

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21 *ibid.*, 121-25.
22 *ibid.*, 216.
23 *ibid.*, 244.
24 *ibid.*, 244-45.

character have been stressed. In the chapter dealing with the King's active rule in the Edinburgh history series, *Scotland, The Later Middle Ages*, R.G. Nicholson sees James as "A King Unleashed", and goes further than Balfour-Melville in his criticisms:

> However good James' intentions, his rule was totalitarian and menaced vested interests that had come to be regarded as legitimate. He had established a royal autocracy that was sometimes cantankerous and vindictive, one that, lacking the resources necessary for its perpetuation, depended entirely upon the strong personality of the King.[25]

The view of James as a disruptive force within Scotland is pressed further in the brief discussions of his relations with the nobility in J.M. Wormald's article "Taming the Magnates?" and in A. Grant's chapter on "Kings and Magnates" in *Independence and Nationhood.*[26] Dr. Wormald sees the King's "vindictiveness" with regard to his nobles being channelled in particular against the wider Stewart family which had "cornered the market" in earldoms and which was a potential dynastic threat to the position of James. Dr. Grant views the interlinked themes of the reign in more general terms as "crown-noble relations, law and order and finance" and emphasises the arbitrariness of the King for both his own and his supporters' benefits. He also recognises that political circumstances as well as cupidity motivated James' actions. Both Grant and Wormald see the King's "zeal" for law and order as essentially cynical and practical, contrasting with the view of James as a reformer.

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25 R.G. Nicholson, *Scotland, The Late Middle Ages*, Edinburgh History of Scotland (Edinburgh, 1974), 317.
26 J.M. Wormald, 'Taming the Magnates?', in K.J. Stringer (ed.), *Essays on the Nobility of Medieval Scotland* (Edinburgh, 1985), 270-280; A. Grant, *Independence and Nationhood: Scotland 1306-1469*, New History of Scotland (London, 1984), 171-99.

The evidence for this new perception of the King has largely been provided by A.A.M. Duncan in his pamphlet, *James I, King of Scots*. This is the most important recent discussion of the reign and provides analysis of certain aspects of James' rule. Professor Duncan argues that much of James' early legislation was issued in connection with attempts to levy taxation to pay the King's ransom to England.[27] As a result a number of these laws are shown to have been abandoned or reversed following the decision to cease payment of the money. Instead Professor Duncan suggests that James initiated an attempt to extract funds from royal feudal and judicial rights in the latter part of the reign.[28] He concludes "that there was no master-plan to revitalise the Scottish constitution, just an aggressive determination to be obeyed and a rather hand-to-mouth response to the problems provoked by that aggression".[29] With regard to the attitude of the nobility to this style of kingship, Duncan largely dismisses the idea of dynastic conflict and seems to suggest that the clashes, outside parliament, between James and individual magnates were due to specific local causes as well as "financial profit". He believes that "evidence of tensions amounting to persecution and hatred between the King and nobility" does not exist despite James' "firmness (or harshness)" towards a number of magnates. Professor Duncan supports this by saying that "until his (the King's) murder, no move was made against him" and sees the assassination primarily as the result "of a few men outraged by his cupidity".[30]

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27 A.A.M. Duncan, *James I, King of Scots 1424-37*, University of Glasgow Department of Scottish History Occasional Papers (Glasgow, 1984), 7-14.
28 *ibid.*, 17-20.
29 *ibid.*, 1.
30 *ibid.*, 21-22.

The problem of evaluating the reign of "this most enigmatic of the Scottish Kings"[31] is readily apparent. James I's character and style of kingship provoked widely differing estimates of his rule within a generation of his murder. The images of the King as a tyrant oppressing his people and as a lawgiver establishing welcome peace have spawned differing modern perceptions of the reign. James is viewed as a constitutional reformer, an autocrat, the author of a vindictive campaign against all or part of his nobility or a strong King adapting to circumstances without fixed goals. The accuracy of any of these labels must rest on a general survey of relations between James and his magnates, the main lay and ecclesiastical landowners in the kingdom. The practice of kingship in fifteenth century Scotland depended ultimately on the ruler's skill in managing this group closest to him in terms of blood and resources. The success of James I as King and his very survival in Scotland was especially bound up with his ability to manipulate and control the higher nobility who, on his release from England, collectively dominated the crown in power and prestige.

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31 A. Grant, 'Duncan, *James I*, a review', in *S.H.R.*, lxvii (1988), 82-83.

1. THE RETURN OF THE KING (AUGUST 1423 - MARCH 1424)

i. The Decisive Council

The events in Scotland immediately preceding and following James I's return from imprisonment form a period of political instability which only ended with the destruction by the King of his closest male relatives the Albany Stewarts. From late 1423 until 1425, the expectation and then the reality of a return to royal government dominated the activities of the political community in the kingdom. The preparations made by individuals and groups from this community to deal with the change of government and the reaction of the King to this intense factional activity provides the background to his elimination of the former Governor and his family.

After seventeen years of sporadic and fruitless negotiations for the release of James I from England, the King's liberation was secured in three rounds of discussions between September 1423 and March 1424. The turning point in this process was the decision to dispatch an embassy to England in late August 1423, which was taken by a general council of the realm.[1] It was the August embassy which, only three weeks after being commissioned, negotiated the Treaty of York with the English outlining the basic terms of James' release that were put into practice the following year. The speed with which this settlement was reached after such a long period of deadlock can be linked to factors from both within the kingdom and from abroad. These factors had an impact which continued beyond the decision to work for James' release.

The impetus for the new negotiations seems to have been provided by the King's captors, the English council governing for Henry VI.

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1 *A.P.S.*, i 227.

Their readiness to allow James' release on favourable terms marked a major policy change from the reign of Henry V. Henry V had preferred to use the captive Scottish King as a political weapon in France and had taken James there in 1421 to proclaim the Scottish forces of the Dauphin as traitors.[2] The practical results of the policy do not appear to have been great and two events in August 1422 prompted a change in the English attitude to their prisoner. The death of Henry V on 31 August 1422 must have had an effect on the confidence of the English and may have prompted the council to seek a means of neutralising the threat posed by a hostile Scotland.[3] This threat was the more worrying to the English because it was felt less on the border than in France. From 1419 large Scottish forces had been recruited and retained by the Dauphin (Charles VII from 1422) and formed the bulk of his armies during the early 1420s.[4] By late 1422 there may have been as many as 6-10,000 Scottish troops in the service of Charles. They were under the command of John, earl of Buchan, brother of the Governor of Scotland, Murdac duke of Albany.[5] The English must have been made aware of the importance of Scottish involvement in the French war by the defeat and death of Henry V's brother, the Duke of Clarence, at the hands of a largely Scottish force under Buchan at Baugé.[6] The story, admittedly only found in Scottish sources, that Henry V complained about Scots on his death-

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2 Balfour-Melville, *James I*, 81-82.
3 R.A. Griffiths, *The Reign of Henry VI: The Exercise of Royal Authority* (London, 1981), 155-56.
4 An initial army had crossed to France in 1419 which numbered about 6,000 men. In early 1421 possibly as many as 4,000 men joined this force as reinforcements. However, significant losses were suffered by the Scots at Fresnay in 1420 and the army at Baugé and the Chartres campaign the following year numbered about 6,000 though other Scots were clearly employed in garrisons (J.H. Wylie and W.T. Waugh, *The Reign of Henry V*, vol.3 (Cambridge, 1929), 181-82, 294; W. Forbes Leith, *The Scots Men at Arms in France*, 2 vols (Edinburgh, 1882), i, 12-31; A.H. Burne, *The Agincourt War*, (London, 1956), 145).
5 The appointment of Buchan to the office of Constable of France following Baugé indicates the importance of the Scots to Charles VII.
6 Wylie and Waugh, *The Reign of Henry V*, 293-310.

bed may indicate that the King himself was increasingly anxious to find a means of ceasing their support of the French.[7]

It is possible that the timing of English overtures about the release of James was the result of new French diplomatic efforts towards Scotland which began immediately prior to Henry's death in August 1422. In that month, Charles VII dispatched an embassy intended to recruit a "new army of Scotland" numbering 8,000 men. However, this embassy fell into enemy hands, presumably alerting the English government to the possibility of new Scottish aid to France.[8] The following February the English Council issued the first safe-conduct for a Scots embassy to discuss the release of the King and in May another two safe-conducts were granted coinciding with renewed French attempts to secure military support.[9] The new French embassy was headed by Buchan and was presumably more prestigious than the 1422 mission.[10] The ambassadors received their instructions on 17 May 1423 and were probably in Scotland by the middle of June.[11] The presence of the embassy in Scotland from June 1423 to March 1424 had a considerable effect on the political situation in the kingdom in the months prior to James I's return. It must also have increased the desire of the English to reach some kind of political settlement with the Scots, centred around the release of the King. This is clear from the instructions issued to the English ambassadors in July 1423 which seek a lasting peace settlement preceded by a truce during which no Scots aid could be sent to Charles VII.[12]

The readiness of the English to negotiate James' release as part of a peace or truce from, at the latest, February 1423, and possibly

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7 *Scotichronicon*, XV, Ch. 34, l. 31-33.
8 G. du Fresne de Beaucourt, *Histoire de Charles VII*, 6 vols (Paris, 1881-1891) ii, 336-37.
9 *Rot. Scot.*, ii, 234, 236; *C.D.S.*, iv, nos. 919, 927.
10 Beaucourt, *Histoire de Charles VII*, ii, 337-38.
11 *ibid.*
12 *Foedera*, x, 294-95.

as early as August 1422, did not bring immediate results. Despite a series of Scottish embassies from February to May 1423 and obvious preparations for talks on the English side during the summer, there is no indication that negotiations actually took place before the latter part of August and the Scottish general council which was held then.[13] Even if there had been discussions, the lack of results they achieved prior to the August council contrasts with the speed with which a settlement was arrived at after the meeting. This suggests that after the English decision to negotiate James' release, it was at the August general council that the main obstacle to the King's return was overcome. This would seem to indicate that the obstruction came from within Scotland and it is not hard to deduce the source of resistance to James' release.

The group with most to lose on the liberation of James I was the Albany Stewart family which had been governing Scotland in his absence. The return of James would obviously result in the end of the Albany Stewarts' domination of central government authority and institutions which the family had held unchallenged for seventeen years and dominated for most of the sixteen years before that. This in itself would require a major adjustment by Duke Murdac and his kin, but in addition part of the English proposals was a planned marriage between James and an English noblewoman.[14] Although this offer was only made formally at the end of the year, it was clearly in the minds of the English from June. Such a marriage threatened to end the hopes which Murdac must have had of James dying unmarried. This would have enabled the Albany Stewarts to inherit the throne and permanently secure the powers they had been exercising in his absence. These interests clearly encouraged the Albany Governors to

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13 *A.P.S.*, i, 227.
14 *Foedera*, x, 294-95.

work only half-heartedly for the release of the King after 1406. This is clear in the governorship of Duke Robert when, having negotiated successfully for the liberation of Murdac in 1415-6, he allowed the King to remain in captivity.[15] He abandoned a proposed meeting of Scottish ambassadors with James in 1417 and, despite the English readiness to talk, launched an attack on Roxburgh and Berwick later in the year.[16] As has been mentioned, between 1417 and 1422, Henry V's attitude made any final release of James unlikely, but the change in the policy of the English government in 1423 must have put pressure on Murdac to begin to work for the King's return. It may be an accurate account of the political situation of 1423 which the French chronicler Jean Chartier relates:

> ... the Duke of Albany and other Lords ... had ruled and governed the Kingdom of Scotland during the time when the King had been in prison in England, as the next closest to the crown. They found themselves the means of the King's deliverance without their will. Though some said that it seemed to them that they would be content that he would remain in prison for ever, at last he was allowed to reach the crown and succession to the Kingdom of Scotland.[17]

That the King's deliverance was achieved against the will of the Governor and his supporters who "would be content" for him to remain in England would fit the idea that Murdac was placed in a position of weakness by the readiness of the English to release the King. However if Murdac was able to block or hamper negotiations in the summer of 1423 and prevent a settlement, a change of circumstances

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15 Murdac had been a prisoner in England since his capture at Homildon Hill in 1402.
16 Balfour-Melville, *James I*, 67.
17 Jean Chartier, *Chronique de Charles VII*, ed. A. Vallet de Viriville, 3 vols (Paris, 1858) ,238-39.

clearly forced his hand before or during the general council held in August.

This change was presumably brought about through the activities of those within Scotland who were anxious to see James' return. It would seem likely that the most powerful man concerned with these efforts was Archibald, 4th earl of Douglas. From 1421, the earl rather than the Governor seems to have been leading the efforts to secure the release of the King. In that year, "at the intervention of the earl of Douglas", it was agreed by Henry V that James should be given leave to visit Scotland.[18] In return, Douglas was to serve Henry with a military retinue for pay. Although this plan was never put into practice, it is an indication that the earl was prepared to undertake his own negotiations on the subject in place of Murdac. Moreover, from 1422, Douglas seems to have maintained contact with James and the English government through the person of his secretary, William Fowlis. Fowlis had a safe-conduct to visit the Kings of England and Scotland in France during the first half of 1422 and received another in July.[19] This second document was extended by the English in the aftermath of Henry V's death to last until February 1423 when a third safe-conduct was issued.[20] Despite the lack of proof that Fowlis was actually undertaking preliminary discussions about James' release, the changing attitude of the English during late 1422 and the frequency with which Fowlis received the safe-conducts in this period would seem to indicate both his and Douglas' involvement in any talks. It is also significant that a final safe-conduct was issued to Fowlis in July 1423.[21] If Murdac had prevented negotiations beginning in early 1423, the issue of this letter to

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18 *Foedera*, x, 125.
19 *Rot. Scot.*, ii, 230, 233.
20 *ibid.*, ii, 235.
21 *ibid.*, ii, 238.

Fowlis, on the same day as the English ambassadors received their instructions for the planned talks may indicate that his presence was sought in anticipation of the Governor blocking talks. That Fowlis was at Edinburgh with the Earl of Douglas on 18 July 1423 may be connected to the former's role in seeking the King's release.[22] In any case, the regularity with which Fowlis possessed the power to visit the King and the English council suggests that he was a vital link between James and Scotland via the 4th earl. The success of Fowlis in his role was probably the reason for the promotions he received during 1424, both from Douglas and from the King. On the eve of James' return in late March 1424, Fowlis received the vicarage of Edinburgh from the King.[23] The timing of this makes it appear as a reward for Fowlis in the aftermath of the agreement over James' release. In the supplication to Rome for confirmation of this provision, Fowlis appears as the "chancellor of the illustrious prince, the earl of Douglas", indicating a rise in the earl's service from the previous year. The rewards given to Fowlis underline the significance of his links with James in 1422-3 and therefore the contact of the King with his brother-in-law, the Earl of Douglas.

The value of Douglas' support to James in 1423 must have been great. By the early 1420s, the earl's influence rivalled that of Murdac, and it would probably not be an exaggeration to see the 4th earl rather than the Dukes of Albany as the predominant figure in southern Scotland. Certainly, control of the Scottish marches had rested with Earl Archibald and his family since 1400 when their main rivals, the Earls of March, were temporarily disgraced.[24] From that

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22 *R.M.S.*, ii, no. 13.
23 *C.S.S.R.*, ii, 55. This was subsequently denied to Fowlis by a grant to Edward Lauder (*C.P.R.Letters*, vii, 355, 360).
24 Douglas was almost certainly running both East and West Marches in 1402 when he was captured at Homildon. His position on his release in 1407 is shown by, W. Fraser, ed, *The Douglas Book*, 4 vols (Edinburgh, 1897), iii, no. 349.

point all three March Wardenships and the special military and judicial powers which accompanied them seem to have rested with Douglas. That by 1420 the earl was using the title, "Great Guardian of the Marches of Scotland" and used it again in late 1423, suggests that he exercised the supreme power on the English border.[25] The lands and contacts, both ecclesiastical and secular, which the earl possessed from Edinburgh and Berwickshire to Lanarkshire and Galloway certainly provided him with the resources to play this role and, by implication, placed severe limitations on the ability of Duke Murdac to influence events in southern Scotland.[26] The infrequency with which the Governor was present in Edinburgh would suggest his secondary position to Douglas even in that city.[27]

Thus Douglas' decision to support moves to bring about James' release probably encouraged the backing of his large connection of lay and ecclesiastical landowners for these efforts. However, the events of 1423-4 indicate that Douglas' attitude was more complex than a straightforward desire for James' liberation and an understanding of his motives is essential if we are to comprehend the position of his family throughout the reign. It seems that, all through his career, the 4th earl of Douglas was an ambitious and flexible politician, willing to switch allegiances to obtain the

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25 *C.S.S.R.*, i, 142.

26 Douglas held the earldom of Wigtown and the lordship of Galloway, the lordships of Annandale (from 1409), Eskdale and other lands in Dumfries, the lordship of Bothwell in Lanarkshire, the lordship of Ettrick Forest in the Middle march and lands extracted from the earldom of March in the south-east. The earl's authority is illustrated by his links with the border religious houses of Coldingham, Dryburgh and Melrose (*The Correspondance, Inventories, Account Rolls and Law Proceedings of the Priory of Coldingham*, ed. J. Raine, Surtees Society (London, 1841), no. XCVIII; *C.S.S.R.*, i, 106, 197). His position in Edinburgh was based both on his keepership of Edinburgh castle and his links with Holyrood Abbey of which he was "Principal Protector" (*E.R.*, iii, 515; *C.S.S.R.*, i, 142).

27 Between 1420 and 1424 Murdac only appears in the city three times (*R.M.S.*, ii, no. 48; Fraser, *Douglas*, iii, no. 60; W. Fraser, *The Elphinstone Family Book*, 2 vols (Edinburgh, 1877), ii, 226).

maximum personal advantage. His support of Robert duke of Albany in 1402, when the latter successfully removed James I's elder brother, David duke of Rothesay, should probably be seen in this light. The earl's support of Albany was based on promised rewards in the east marches rather than any major commitment to the duke. It is possible that once Albany had achieved the position of Governor, there may have been considerable friction between his followers and those of Douglas while the earl was an English captive. The indenture between Albany and Douglas in 1409 seems to have been designed to control a violent situation and regulate any future clashes.[28] No acknowledgement of Albany's superior authority as Governor is made by Douglas and this in itself may indicate a degree of reluctance to become Duke Robert's subordinate and a fundamental desire for independence of action. Thus Douglas should not be seen as a long-term partner in the Albany regime but rather as a rival of the duke for influence in the kingdom, especially in those areas south of Forth. The independence of the earl in foreign policy, perhaps from as far back as 1400, and his use of the customs revenue of Edinburgh as private income during the early 1420s is proof that he was never simply an adherent of the dukes.[29]

However, the success with which Douglas was able to extend the power and influence of his family during the Albany governorship would suggest that the 4th earl's interests had been well served by the relative weakness of the Dukes of Albany. It is possible though, that, after seventeen years of this kind of central authority, Douglas was aware of the potential problems as well as the opportunities which it brought. By as early as 1416, Douglas may have been experiencing difficulties in the control of his

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28 W. Fraser, *The Red Book of Menteith*, 2 vols (Edinburgh, 1880), ii, 277.
29 *E.R.*, iv, 322, 324, 368.

'connection' which, for an earl, was without precedent in Scotland. In that year he was forced to undertake a siege of Edinburgh castle which was theoretically in his possession. This may have been brought about by a dispute between Douglas and his deputy in the castle, Sir William Crawford. If so, the earl was forced to compromise as Crawford remained in his office until 1418.[30] There is also a reference in 1421 to a major attack on the earl's close supporters, the Borthwicks, "by certain noble lords of the kingdom of Scotland".[31] These apparently isolated incidents may in fact be the evidence of increased pressure on the earl during the latter years of the Albany governorship. There is the possiblity that the succession of a new Earl of March in 1420 and the attainment of majority by William, earl of Angus about the same time created new focuses for local hostility to Douglas' southern hegemony.[32] In such circumstances, the success with which Earl Archibald seems to have excluded the Governor from the marches and Lothian, especially after 1420, meant that Douglas lacked recourse to central authority in controlling any unrest.

It seems probable therefore that Douglas was central to James' release in 1424 and may have been the main contact for both the King and the English before August 1423. His motives for action are to be found in problems with the Albany Stewarts and his neighbours but probably also in the hope that the King's return would stabilise and protect the gains made by Douglas during James' absence. By leading

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30 *Scotichronicon*, XV, Ch. 24, l. 13-15.
31 *C.S.S.R.*, i, 278. The background to this could be a dispute between the Borthwicks and the Hays over the castles of Yester and Lochorwart. The Borthwicks were reportedly besieged in the castle of 'Yliestis' which could be Yester. At some point between 1425 and 1430 an exchange of the above castles was effected. Borthwick was a regular member of Douglas' council while Thomas Hay of Yester was the brother-in-law and supporter of William, earl of Angus. Angus could conceivably have been backing his wife's kin in this dispute.
32 *Scotichronicon*, XV, Ch. 32, l. 14. Angus was born 1397 x 1402 and would have reached full adulthood only in about 1420.

moves to secure the King's release the earl must also have been seeking to establish the roots of the political alliance which was to become so valuable to both sides in 1423-4, and gain James' gratitude towards the earl who was his brother-in-law. At the same time, Douglas' actions in the summer of 1423 may have been influenced by his negotiations with the French which were to result in his departure to fight for Charles VII. As will be discussed later, these plans were of long-standing and were probably linked to the negotiations for James' release.

As a final point in considering the background for Douglas' support for the King's return, it is important to consider the links between the two men during the conclusion of Scotland's involvement in the Great Schism in 1418. James had already acknowledged the authority of the generally accepted Pope, Martin V, from exile, and in February sent Dougal Drummond and Thomas Myrton to Scotland to encourage the abandonment of the anti-pope Benedict XIII.[33] These same men were sent north by James in February 1423 and their chief contact on both occasions may have been the Earl of Douglas.[34] It is certainly significant that before April 1418 Douglas was also an adherent of Martin V and from that point onwards assumed secular leadership of the opposition to the continued support of Albany for Benedict.[35] This was probably the role he played at the general council of October which decided against Robert and Benedict. Douglas' importance is reinforced by the fact that in 1420 the earl is called, "the devoted and eldest son of the Pope in Scotland", and the connections he had with John Fogo, a monk of Melrose.[36] Fogo was a leading supporter of Martin at the University of St. Andrews and by

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33 *Rot. Scot.*, ii, 222; *C.P.R.Letters*, vii, 6.
34 *Rot. Scot.*, ii, 235.
35 *Copiale Prioratus Sanctiandree*, ed. J.H. Baxter (Oxford, 1930), 27-8, 400.
36 *C.S.S.R.*, i, 224.

the following year was the confessor of the 4th earl.[37] The link with Fogo may be an indication that the earl's other ecclesiastical officials like Fowlis and John Cameron possessed sound credentials as regards the schism. The contact between James and Douglas in 1418, in opposition to the Albany Stewarts, has a possible significance as a pattern for 1423 and the manoeuvring for the King's release. Although in both cases the 4th earl may have been backing what he saw as a winning horse, this early contact with James may have encouraged him to see the return of the King as advantageous to his political position in France.

The events of 1418 may also have had the effect of establishing at the centre of government a group of men who were to be a vital source of support for the King both before and after his return to Scotland. This group was centred on Bishop William Lauder of Glasgow. Since his elevation to the Bishopric of Glasgow in 1408, a number of Lauder's close kinsmen had also achieved important positions in the church, due presumably to his influence as much as their own ability. By 1424, his brother Alexander was Archdeacon of Dunkeld, while his cousin Edward Lauder held the Archdeaconry of Lothian as well as other rich benefices.[38] The evidence would suggest that this Lauder clique was sufficiently early in its transference of support from Benedict XIII to Martin V during the final throes of the schism in Scotland to escape opprobrium. Certainly in 1418 Edward Lauder attempted to gain possession of the rectory of Kirkliston from Duke Robert's secretary Andrew Hawick by accusing him of adhering to Benedict, "after the kingdom of Scotland had withdrawn its allegiance from him".[39] Although unsuccessful this

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37 *Scotichronicon*, XV, Ch. 24, l. 64-68; *C.S.S.R.*, i, 102, 106.
38 *C.P.R.Petitions*, i, 610; *C.S.S.R.*, i, 120, 291, 293.
39 *C.S.S.R.*, i, 34, 55.

presumably indicates Edward's good credentials which may well have been shared by the rest of the family.

The case also demonstrates that the schism had created problems for some churchmen whose connection to Duke Robert's position may have led to papal disfavour. Murdac may have wished to distance himself from those associated with his father's embarrassing adherence to Benedict and, as a result, he may have wished to replace the chancellor, Bishop Gilbert Greenlaw of Aberdeen. Greenlaw had served in the office since 1397 but, although he was still the chancellor in September 1421, he does not appear to have been active in Murdac's government.[40] Bishop Greenlaw was not a witness to any of the new Governor's charters and in October 1420 and again a year later the deputy-chamberlain, John Forrester of Corstorphine, is given the title of keeper of the great seal.[41] This would suggest that Forrester was carrying out the role of chancellor on Murdac's council. The fact that by December 1421 Murdac had appointed William Lauder as Greenlaw's successor as chancellor gives the impression of a gradual removal of the Bishop of Aberdeen from influence.[42] Greenlaw may have been dead by the time Lauder first appears as chancellor, but if he was not it would strengthen the idea that Murdac was anxious to remove him, possibly due to the man's links to Pope Benedict.[43]

The choice of Lauder may have been prompted by other motives than his papal credentials. Although the bishop did not have strong links with the Albany governorship, it is significant that in 1413 Alexander Lauder of Hatton, a first cousin of William, married a daughter of Forrester of Corstorphine. At the same time Forrester

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40 *E.R.*, iv, 237.
41 *R.M.S.*, ii, no. 48; Fraser, *Douglas*, iii, no. 60.
42 S.R.O., GD 121/3/7.
43 He was dead by July 1422 (*E.R.*, iv, 359).

granted lands to the couple and provided William's brother Alexander to the church of Ratho in Midlothian.[44] This connection with Forrester, who was clearly in a position of importance in the Albany administration, may well have had a bearing on Lauder's appointment as chancellor. This impression of a clique being established at the centre of government is increased by the close contact between Lauder and the lay members of his family as well as the churchmen. As well as Lauder of Hatton these lay relatives included Robert Lauder of Bass and his sons.[45]

The presence of this close-knit group, without any close bonds with Duke Murdac and at the heart of his government, would seem to have been a cause of real problems for Albany in 1423 when it is likely that Bishop Lauder and his kin gave their backing to efforts to release the King. This may relate to the schism and their oppostion to the Albany Stewarts or the dissatisfaction of Lauder and Forrester, as administrators, with the weakness of Murdac's financial and judicial grip on the kingdom. However, it seems most likely that Bishop Lauder's links with the King and support for his liberation were of long-standing. As far back as 1406, Lauder was involved in the negotiations for James' release, showing early contact between the two men if not proof of the bishop's sympathies.[46] More significant is the close involvement of Thomas Lauder, a bastard nephew of Bishop William, in the household of the King prior to his return. Whether the reference to Thomas being instructor or master

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44 *R.M.S.*, i, no. 915; *C.S.S.R.*, i, 38; *P.S.A.S.*, XI, 125.
45 The relationship of the bishop and Lauder of Bass is not clear. It is possible, though unlikely, that Sir Robert Lauder was William's father. In a charter of 1414, a Robert Lauder granted to his son, Bishop Lauder, and the church of Glasgow, lands near Lauder. This grant was witnessed by the bishop's brothers whose names correspond to Lauder of Bass' children. However, the lack of any more specific mention makes such a direct connection implausible (*Registrum Episcopatus Glasguensis*, Bannatyne and Maitland Clubs, 2 vols (Edinburgh, 1843), ii, no. 324).
46 *Rot. Scot.*, ii, 178.

of the King in his minority concerns James I or his son is not clear, but in 1422 Thomas was a secretary of the King and vicar of Erskine.[47] It is possible that the timing of this mention was connected to the promotion of Bishop Lauder to the office of chancellor and that James was showing favour to a kinsman of William in order to cement their relationship. This link with James is certainly suggested the next year when Bishop William's name headed the safe-conduct for the embassy granted in February "at the repeated instance" of the King. This planned embassy and an additional one in May contain the names of Bishop William and his kinsmen Lauder of Bass and John Forrester.[48] The presence of Forrester with Douglas and Fowlis at the end of July may indicate that a degree of co-operation was taking place between those who wished the King to be released and that James was relying on the Lauders and other contacts like Alexander Forbes and Walter Ogilvy to gain support for his release.[49]

The problem caused to Duke Murdac by Bishop Lauder's attitude may be shown by the apparent break he made with his chancellor in late 1422. Following his appointment to the office in December 1421, Lauder witnesses seven out of nine charters of the duke up until November 1422.[50] From that point until the return of James, however, the bishop only appears on the Governor's council twice out of ten charters.[51] If any rift between the two men occurred in late 1422 or early 1423, the point at which the English were preparing to negotiate over James' release, this might suggest that the

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47 *C.P.R.Letters*, vii, 248; A.I. Dunlop, *The Life and Times of James Kennedy Bishop of St.Andrews*, 152.
48 *Rot. Scot.*, ii, 234, 236.
49 *R.M.S.*, ii, no. 13. It is probable that Walter Ogilvy, who resigned the lands being granted on this charter, was also present.
50 The last charter witnessed by Lauder before the events of 1423 was *H.M.C.*, V, 633.
51 *A.B. Ill*, iv, 386; W. Fraser, ed., *The Red Book of Grandtully*, 2 vols (Edinburgh, 1868), i, no. 111.

differences of the duke and his chancellor on the subject led to a political break. It would seem therefore that during 1423 Murdac found himself unable to rely upon his own chancellor for support in obstructing the King's return, and the fact that Bishop Lauder was one of the main beneficiaries of James' rule in 1424-5 bears this out.

It seems likely that the move to force Murdac to negotiate for James' release received vital backing from Douglas on the one hand and from a group of men in the central administration on the other. Although these were clearly vital areas of support for the King in 1423 it is probable that James was himself working to foster links with the Scottish nobility. He had retained personal contact with a number of Scots such as Alexander Seton of Gordon, Alexander Forbes and Walter Ogilvy, all of whom had visited the King in England and were to benefit from their personal links with him in the future. Such contacts may have been combined with the natural obligation, which many must have felt as feudal vassals, to ransom their lord if it was possible. It is conceivable that James fostered such sentiments deliberately, as he had done in 1412, by the dispatch of letters to key members of the Scottish political community. In 1412 the letters had been sent to the Governor, his key supporters and other magnates as well as a number to be circulated generally. The documents expressed James' impatience and were designed to put pressure on Duke Robert to negotiate his release.[52] Although this was unsuccessful in 1412, similar communications may have been effective in 1423, possibly sent north in the hands of royal agents like Myrton and Drummond.

The success of James' own involvement in Scottish debates about his release and the growth of support for his return based on a

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52 Fraser, *Menteith*, i, 284-288.

variety of motives among the political community may well have placed Duke Murdac in an isolated and untenable position by the beginning of August 1423. It was certainly to hold discussions on the release of James that a general council was arranged during that month. The council was to result in the dispatch of the embassy which James and the English had been seeking since February and the estates also presumably stated the terms which the ambassadors could accept. The commission for the embassy was issued by the Governor on 19 August from Inverkeithing.[53] Boece, however, is presumably referring to this meeting when he states that,

> an assembly of notables of the kingdom was held at Perth ... where, after a long discussion as to the best means of securing the happiness of the nation, it was unanimously resolved that King James the first, at that time detained as a captive in England should be ransomed. This course was, in the opinion of all, most likely to conduce to the peace and glory of the realm.[54]

Boece may be referring to a meeting of the estates which was held at Perth before moving to Inverkeithing, but it is more likely that this council was held in the days before 19 August and concluded with the issue of the commission to the embassy by Duke Murdac. The decision to hold a general council, which the Governor presumably took, may be an indication of the pressure on Murdac to open serious discussions. It may also be a sign that the duke accepted the likelihood of James' return to Scotland and therefore the end of his family's governorship at the same time. Future indications would suggest that from August, Murdac was working for James' liberation possibly with an eye to the future.

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53 *A.P.S., i, 227.*
54 *Hectoris Boetii Murthlacensium et Aberonensium Episcoparum Vitae,* New Spalding Club (Aberdeen, 1894), 33.

However the attitude of Duke Murdac clearly did not end the hostility of at least part of his family to the renewal of royal government. It was probably the opposition of Albany's eldest surviving son, Sir Walter Stewart, to the planned negotiations which led to the "long discussions" which, Boece reported, took place at the general council. As Murdac's heir, Walter possessed almost as much interest as his father in the continuation of the Albany governorship. His actions and statements during 1423 suggest that he was ambitious to inherit his family's lands and, more importantly, the position of Governor and heir to the throne. It is possible that Walter made these aims known to the political community and that this was part of Bower's reason for saying that Murdac's sons, "turned out more arrogant than they should have been", and that they devoted "themselves to what they liked and not what was lawful".[55] Bower may have been especially indicating the independence of Walter from his father and his 'arrogance' in carrying out his own political ambitions throughout the early 1420s.

The basis of Walter's political influence was both his position as Murdac's heir and more particularly the links he had established with the men of the earldom of Lennox. These links were created by the marriage, in 1392, between Murdac, then the heir of Robert earl of Fife and Menteith, and Isabella, eldest daughter and heiress of Duncan earl of Lennox. The marriage was accompanied by an indenture between the Earls of Fife and Lennox which guaranteed the succession of Murdac and Isabella to Lennox failing the birth of a legitimate son to the earl.[56] Although the marriage was intended as part of the territorial aggrandisement of Robert earl of Fife's family, the main immediate effect of the union was to bring Earl Duncan into close

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55 *Scotichronicon*, XV, Ch. 37, l. 35-38.
56 W. Fraser, ed., *The Lennox*, 2 vols (Edinburgh, 1874), ii, 43.

alliance with the Albany Stewarts. In the terms of the indenture he was made substitute justiciar for the Earl of Fife within Lennox and, moreover, was to receive the help, council and support of Fife and Murdac. This co-operation was clearly put into effect, especially after the sons of Murdac and Isabella reached adulthood.

It seems probable that, in the early 1400s, Walter Stewart, the second son of Murdac was recognised as the eventual successor to the Earldom of Lennox, perhaps in connection with the promise of the 1392 indenture that Murdac's heirs should inherit Lennox territorially intact. This may coincide with the recognition by Earl Duncan that he would have no legitimate sons and that, therefore, the lands would pass to the Albany Stewarts. As early as 1409, when Walter can only have been about sixteen years old, he is termed Walter of Lennox and this designation is repeated in several references in the Exchequer Rolls.[57] Compared with the consistent description of his elder brother as Robert Stewart of Fife which begins in early 1408, it is plausible to think in terms of a planned division of his grandsons' inheritance being carried out by Robert duke of Albany, himself nearly seventy and with his heir, Murdac, a captive in England.[58] From 1407, when he may have been considered an adult, until 1415, when his father returned, Robert Stewart of Fife was in regular attendance at the Governor's court.[59] This may be an indication that he was being groomed as a potential successor for Albany should he be unable to secure the release of Murdac.

This role as deputy and replacement for Murdac at Albany's court, which Robert played, could well be mirrored by Walter Stewart in the Lennox, as the likelihood of Earl Duncan dying before his son-

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57 Fraser, *Menteith*, ii, 277; *E.R.*, iv, 242, 269.
58 *R.M.S.*, i, no. 897.
59 The earliest registered presence of Robert on his grandfather's council is 12 May 1407. He is first termed Robert Stewart of Fife in February 1408 (*R.M.S.*, i, nos. 893, 897).

in-law's release may also have been considered. By 1409 there is an indication that Walter carried some political weight as, in the indenture of that year between Albany and Douglas, Walter is mentioned along with his elder brother and the two sons of Douglas. The two principal lords hope to include "the said four persons" in the indenture and hope that they "will be governed after the counsel and the lords their fathers".[60] This would seem to show both Robert and Walter exercising a degree of independence as well as suggesting the beginnings of the "arrogance" of which Walter was to be accused in the 1420s and his possible involvement in friction with the Douglases. The appointment of Walter to the keepership of Dumbarton castle in 1416 could certainly have cemented any influence which he had previously held in the Lennox.[61] The castle had been built as a base from which royal control could be extended into the Lennox by the local officers of the crown. However by the early 15th century the keepers were generally drawn from men who were vassals of the Earl of Lennox and who possessed the local influence to maintain the castle efficiently.[62] Walter Stewart replaced Sir Walter Buchanan of that ilk in the office. Buchanan, whose lands were centred on the south-eastern shore of Loch Lomond, had been keeper of Dumbarton since 1406. He was probably retained as deputy to Walter Stewart, as in 1417 Buchanan received £9 18s 4d of the fee for custody of the castle compared with the £43 6s 8d which Stewart was paid.[63] It was possibly at this point that Buchanan received Walter's sister, Isabella, in marriage.[64] This marriage would seem almost certainly to be connected to the establishment of the Albany Stewarts in the

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60 Fraser, *Menteith*, ii, 277.
61 *E.R.*, iv, 242.
62 see I.M.M. Mac Phail, *Dumbarton Castle* (Edinburgh, 1979), Chapter 2.
63 *E.R.*, iv, 53, 270.
64 *S.P.*, i, 151; Fraser, *Menteith*, i, 280.

Lennox and was possibly a means of retaining the loyalty of the man who was Walter's deputy in the area. The custody of Dumbarton castle would seem to indicate that Walter's position in the Lennox was based upon his kinship to the earl and possibly shows also that he was the chief agent of the Governor in the area. Moreover the timing of Walter's appointment suggests that, unlike his elder brother whose position at court was less visible from 1416, the powers he had received in the Lennox were not removed by the return of his father from England. Walter was still using Dumbarton as his base in the 1420s and it may have been his chief residence and the centre of his influence from 1416 onwards.

The degree to which Walter had successfully entrenched himself in the Lennox by 1423 may be shown by what appears to be his successful defiance of Murdac duke of Albany during the first year and a half of the latter's governorship. It is possible that following the death of Robert Stewart of Fife, Murdac's eldest son, in 1419, there were plans to alter the division of lands which Duke Robert had apparently established prior to 1409. The variations of the territorial designations which the surviving sons of Murdac are given in the 1420s may show that the new Governor expected Walter to step into his brother's role as heir to Fife and Menteith and relinquish the position he held in the Lennox in favour of Alexander Stewart, his younger brother.[65] Walter is referred to as "Walter Stewart of Fife" when receiving his salary as keeper of Dumbarton in 1421 while his brother is named "Alexander Stewart of Lennox" in two

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65 That Alexander was the third son of Murdac rather than James the fat is suggested by their relative importance prior to 1424. Alexander received a series of territorial designations and witnessed with far more regularity than his brother. On the one occasion they attended their father together Alexander is place above James on the list of witnesses (Fraser, *Grandtully*, i, no. 111). This is despite the order in which Duchess Isabella refers to them in a grant to the Friars of Glasgow in 1451 (*Munimenta Fratum Predicatorum de Glasgu*, Maitland Club (Glasgow, 1846), no. 29).

of his father's charters in 1420 and 1421.[66] That it was Murdac who was trying to alter the situation once he was Governor is suggested by a charter of January 1420 in which his son is called "Walter Stewart of Fife and Lennox".[67] Thus between the deaths of his brother and Duke Robert, it is possible that Walter was acknowledged as heir to the whole estates and that Murdac sought to reduce his inheritance subsequently. If this was the case then by 1422 Walter seems successfully to have warded off his father's efforts.[68] In two charters of Murdac in that year he is associated with Fife, Lennox and Menteith and in one of these, at a general council, he is called, "the excellent prince Walter Stewart of Fife, Lennox and Menteith", perhaps a good indication of the quasi-royal status to which he aspired in the early 1420s.[69] The evidence these designations provides is perhaps not conclusive but it is clear that Walter was able to establish his rights to inherit the three earldoms held by his grandfathers and that this was probably against the wishes of his father.

In any case, Walter was obviously successful in protecting and possibly enlarging his influence in the Lennox in the 1420s. He retained control of Dumbarton and even in July 1421 when his father seems to have been trying to establish Alexander in the Lennox, Walter was required to give his consent to a charter of Earl

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66 *E.R.*, iv, 342; *R.M.S.*, ii, 48; S.R.O., GD 121/3/7.
67 S.R.O., RH 6/251 A.
68 The possibility of a dispute between Walter and his father in 1421-2 may be indicated by the decision of the former to apply for a dispensation to marry Janet, daughter of Robert Erskine which he received in April 1421 (*C.S.S.R.*, i, 250). The Governor had already agreed to prevent such a match in his indenture with Mar, and his son may have been seeking to embarrass Murdac and establish his own political ties to Erskine (Fraser, *Menteith*, i, 261-262). At the same time Walter's seizure of the Linlithgow custumars in 1421-2 may also have related to an open breach with Murdac at this point (*E.R.*, iv, 365).
69 W. Fraser, ed., *The Book of Carlaverock*, 2 vols (Edinburgh, 1873), ii, no. 31; *R.M.S.*, ii, no. 169.

Duncan.[70] It may have been the insistence of Duncan in favour of the existing succession that was behind Walter's strong position in the Lennox. That the earl associated Walter with grants of land in the earldom in both 1421 and 1423 suggests his consistent backing of Walter as his heir and that there were strong ties between the two men politically which were of great significance in 1423-5.

Thus by 1423, Walter Stewart had probably established himself as heir to all his father's main estates and as an influential political figure with a strong local power-base. He had probably also taken the decision to oppose the release of James I as he saw it as presenting a fundamental threat to this position. Therefore when his father chose to call the general council in August 1423, it was Walter who seems to have led the opposition to opening negotiations with England. In the week prior to the general council and presumably after Murdac had called the meeting, Walter was in close contact with what could be termed his 'connection' in the earldom of Lennox. On 10 August Walter was at Killearn in the eastern part of the Lennox where he witnessed and gave his consent to a charter of Earl Duncan.[71] This charter was a confirmation and re-grant of the extensive lands held by William lord of Graham in the Lennox. Graham was presumably present at Killearn as was Walter Buchanan and several other Lennox landowners. The next day, about six miles to the south at his castle of Mugdock, William Graham granted lands in the Campsies, in the earldom of Lennox, to John Brisbane termed 'his kinsman'.[72] This charter was witnessed by Earl Duncan and three of his natural sons, Thomas, Malcolm and Donald as well as a John Buchanan, probably a kinsman of Sir Walter Buchanan, who had been present at the confirmation of Graham's lands the previous day.

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70 N.L.S., Ch. no. 20001.
71 *R.M.S.*, ii, nos. 165-169.
72 Fraser, *Lennox*, ii, no. 215.

Although this second list of witnesses is less impressive than the earlier one, that probably reflects the reduced status of the lands granted and their recipient, and it is conceivable that Walter and Buchanan of that ilk were present with their kinsmen at Mugdock. This would show that a large group of men from the Lennox were on the move in the east of the earldom, possibly en route for the general council at Inverkeithing.

However it would seem plausible to read a greater significance into the witness-lists of these charters given the importance of the council they precede and the clearly hostile attitude to the English negotiations which Walter was to show later. The presence of Walter Stewart with his grandfather, half-uncles and brother-in-law, all of whom were men of local influence and probably tied closely to Walter's ability to affect national politics, suggests that this represents the consolidation of a faction prior to a major political test. That William, lord of Graham, was a part of this faction must raise it beyond a local cabal. Graham's lands in the Lennox, which he had just had confirmed by Earl Duncan, were centred on the castle of Mugdock and the lands of Killearn and probably made him the chief vassal of Duncan in the east of the earldom. However, Graham was more than just a local landowner. He also held lands in Angus, Dumfries-shire, East Lothian and the barony of Dundaff just to the west of Stirling and had been a figure of major importance in government since the turn of the century.[73] It seems that, from at least the beginning of the Albany governorship, William was an adherent of Duke Robert, serving as his councillor as well as an auditor of the exchequer from 1405 to 1419.[74] During that period,

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73 *R.M.S.*, ii, nos. 165-69.
74 *E.R.*, iv, 191, 208, 214, 234, 240, 261, 267, 290, 306; *R.M.S.*, i, nos. 884, 890, 898, 899, 902, 903, 905, 907, 912, 913, 911, 926-8, 941, 943.

moreover, his family received several indications of the Governor's favour.[75] Graham's influence was probably also reflected in his choice as one of the recipients of the letters sent in 1412 to secure the King's release.[76] It seems likely that he was chosen as a man able to influence the Governor and his failure to do so may have worried him in 1423 now that James' release was imminent.

However, William Graham's adherence to Walter Stewart was probably based more directly on a history of contact between the two men since 1420. The main reason for this connection may have been their mutual link with the Lennox but it is possible that Graham became more closely associated with Walter as the latter's influence grew after the death of his elder brother. In January 1420 Walter and Graham were in Ayr in the company of a group of Ayrshire magnates, conceivably discussing Walter's position as the potential heir to the Stewartry, possibly already with local influence in the area.[77] During the next three years it is surely significant that the two appearances of Walter on documents of Duke Murdac as a witness are in the company of William Graham. In January 1422 Walter witnessed the confirmation of Graham by the Governor in his lands of Dundaff, and in July of the same year the two men were together on the council of the Governor at a meeting of the estates.[78] That Earl Duncan of Lennox was also present on this council makes the combination of Walter, the earl and Graham with their neighbours and kinsmen in August 1423 look like a gathering of a well-established political group. Given the stance taken by Walter in subsequent

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75 Graham benefited from the forfeiture of March in 1400 by being released from March's overlordship in the lands of Dundaff. He received, presumably from Albany, the prestigeous marriage to Mary Stewart, sister of James I about 1408. His younger brother Patrick was allowed to marry the even more valuable heiress, Euphemia, Countess of Strathearn in 1405.
76 Fraser, *Menteith*, i, 284-88.
77 S.R.O., RH 6/251 A.
78 Fraser, *Carlaverock*, ii, no. 31; *R.M.S.*, ii, no. 169.

months, it seems logical to assume that this faction was hoping to gather sufficient numbers to influence the general council against negotiating for the King's release.

Such a move would obviously have met strong opposition from those who had been working for the release of James, but, given the strong Albany Stewart connections of this Lennox faction, it is necessary to establish the attitude of Duke Murdac. As has been stated, the decision of the duke to hold a general council perhaps marks the point at which he accepted the probability of James' return and the need to prepare his own position for the end of his governorship. He may already have been hoping to reach a working relationship with the King, whom he had known during their spells in England, and was therefore anxious to pose as aiding rather than obstructing negotiations which he felt were inevitable.[79] If this was the case then he would be in oppostion to Walter at the council which could be behind Boece's statement that there was,

> a dispute, which had arisen on account of the regency between Murdac and his son Robert (*sic*); for that haughty youth could not brook his father's rule. Murdac, too late, tried to amend Robert's wicked ways. When he failed to do so, an assembly of the notables of the kingdom was held ...[80]

As we have seen, this assembly was probably the general council of August 1423 and, as Robert had died prior to the beginning of Murdac's regency, the son involved is most likely to have been Walter. While this account is clearly in the tradition of Bower in complaining about the arrogance of Murdac's sons, it is interesting that Boece links a clash between the Governor and only one of his sons with the council which determined on the liberation of James.

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79 Balfour-Melville, *James I*, 48-9, for evidence of their contact.
80 Boece, *Vitae*, 33.

In the light of Walter's later actions and the preparations for the council there is a strong probability that a renewed split occurred between Murdac and his son when the latter became aware of his father's readiness to end the governorship.[81]

The strength of this clash may have been heightened by the fact that, even prior to 1423, Murdac and Walter may have been on bad terms politically. The origins of these poor relations were probably in the dispute between the two men over the succession to the earldom of Lennox in the early 1420s. Walter was able to defy successfully any efforts to make him give up his local position and this victory over his father and the high-flown titles he adopted probably soured his relations with Duke Murdac. Certainly there is no evidence of close contact between Albany and Walter in the 1420s. The two occasions when Walter can be proved to have been at Murdac's court were those times when the interests of his local allies were concerned or when they were present in force. This would indicate that Walter was acting as a local magnate rather than as a political dependent of Albany. That out of twenty-three charter witness lists for Murdac's period of office Walter appears only twice emphasises this. By contrast, Alexander appears twelve times on the same lists

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81 Bellenden's translation of Boece's Chronicle of Scotland tells an interesting variation of this story of hostility between Murdac and Walter.

> This Walter incurrit sik extreme indignacioun of his fader for the violent takin away of ane falcone of his hand, and becaus he was inhibitt be his faderis servancis, he slew the halk apoun his hand. Duke Murdac, rycht commovitt at this iniure sayd, "O Walter, becaus thou and thy bruther may nocht sustene my soft empyre, I am contranit to bring him in this realme that salbe ane skurge to ws all thre" (Bellenden, *Chronicles*, ii, Ch. 571).

Buchanan repeats this story with the addition that Murdac's action was prompted by Colin Campbell (Buchanan, *History*, ii, Bk CII, Ch. XXV, 84-85). As the Campbells seem to have been connected to the Lennox at this point it is more likely that the family was politically linked to Walter (Fraser, *Carlaverock*, ii, no. 31; *C.D.S.*, iv, no. 942; *Cartularium Comitatus de Levenax*, Maitland Club (Glasgow, 1833), 64-66).

and is on seven charter of the eleven granted or received by the Governor in 1423-4. That Alexander was much more closely associated with his father than his elder brother may be important in understanding the relationships within the Albany Stewart family. It is possible that there was a degree of political rivalry between Walter and Alexander in the 1420s. Walter's successful defence of his rights to Lennox as well as to Fife and Menteith had, after all, effectively deprived his younger brother of the chance to become an earl, a fact which Alexander quite probably resented. After this, Alexander was designated on three occasions as 'Alexander Stewart of Kinclevin' which probably indicates his rights to these lands.[82] Kinclaven in Perthshire was the estate which Murdac had held from the 1380s as the heir and lieutenant of Robert duke of Albany.[83] That Alexander was also associated with the lands of Kinclaven emphasises the political link between Murdac and his second surviving son and could point to Alexander acting as some form of deputy for the Governor. The probable existence of a deep division within Murdac's family is of significance both for the events of 1423 and following James' return and may even be a reason why Murdac was much more ready than Walter to bring the governorship to a close. That Boece states that the dispute between Murdac and his son was "on account of the regency" could express both the power struggle within the ruling family and the divergence of views on the position of the Governor.[84]

The commission which Murdac issued to nine ambassadors at Inverkeithing on 19 August presumably brought the general council to a close, the 'long discussion' having resulted in a defeat for Walter and his supporters. It may be a measure of Albany's weakness or

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82 *H.M.C.*, v, 633; W. Fraser, ed., *Memorials of the Family of Wemyss of Wemyss*, 3 vols, ii, no 35; Fraser, *Elphinstone*, ii, 226-28.
83 *R.M.S.*, i, 893, 901.
84 Boece, *Vitae*, 33.

readiness to compromise that, with only a few changes, the embassy which was commissioned in August was the one which James had wanted to be sent earlier in the year. That one of the new members was Patrick Houston, one of the Governor's secretaries, who was presumably to represent Murdac, is the only apparent influence of Albany on the men to be sent.[85] Despite the resolution of the question of opening negotiations, it seems unlikely that the atmosphere of tension which must have accompanied the council was much relaxed in the week that followed. On the day after the embassy was commissioned, 20 August, William Graham made another grant of lands from his Lennox holdings. He gave the lands of Ballegrochy in the Campsies to Donald of Lennox, one of Earl Duncan's illegitimate sons who had been with Graham and Lennox at Mugdock on 11 August.[86] The charter granted on 20 August was given at Kincardine. This may be the lordship of Kincardine just to the south of Doune, the seat of the Albany Stewarts in Menteith, which Graham held. However in the circumstances of August 1423, it seems more likely that Graham issued the charter from Kincardine on Forth about twelve miles from Inverkeithing. The presence of the Earl of Lennox and John Buchanan as witnesses to this grant is also interesting. Both men had been in the group which left the Lennox on the 10-11 August and it is possible that, after their defeat in the general council, the supporters of Walter Stewart moved to Kincardine. The presence of his chief associates would suggest that Walter was also in the vicinity and that the process, begun at Killearn, of granting lands within this apparently fixed group of Lennox-men was continued, to provide opposition to James' release despite the embassy's planned departure.

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85 *A.P.S.*, i, 227. The other addition was George Borthwick, Archdeacon of Glasgow.
86 N.L.S., Ch. no. 20001.

If, as seems likely, the number of Lennox landowners who came to the council is an indication that Walter attended with the type of large, armed following, which James I was later to legislate against, then the continued defiance of this band may have threatened the security of the earldom of Fife, the heartland of Murdac's rule.[87] That the Governor anticipated trouble at the council may explain the choice of Inverkeithing as the location of the meeting as a place on the Governor's 'home-ground'. A piece of evidence from a week later may show that Kincardine was more than just a temporary stop for the Lennox-men on their return westwards. On 27 August, at Falkland, Isabella duchess of Albany, the heiress of Lennox, confirmed the charter which Earl Duncan had given to Graham at Killearn on 10 August.[88] There is no list of those present at the grant but it is possible that, as the recipient of the charter, William was at Falkland with the duchess. The following day Murdac and his second son Alexander were at the castle with a number of Fife landowners and the brother of the Earl of Douglas, James lord of Balvenie.[89] It is possible therefore that Graham at least was in contact with Murdac at Falkland during the last week of August. That Douglas of Balvenie, who had been named as an ambassador in the Inverkeithing commission, was also present suggests that a crisis had occurred or was threatening following the general council and that he had remained with Murdac to represent his brother's interests. These interests were clearly in the continuation of progress towards the King's return and Balvenie was presumably at Falkland to guarantee that the Governor adhered to the decisions of the council. However that the duchess confirmed part of the earlier arrangements between Walter's

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87 *A.P.S.*, ii, 16, c.10.
88 *R.M.S.*, ii, no. 166.
89 W. Fraser, ed., *History of the Carnegies, Earls of Southesk and of their Kindred*, 2 vols (Edinburgh, 1867), ii, 510.

supporters may be a sign that a settlement of affairs had been worked out between the two branches of the Albany Stewart family. This settlement may at least have prevented any open clash between Walter and Murdac which the former may have contemplated as a means of defending his political ambitions. Such an idea is not out of the question as only five weeks later Walter was seeking foreign military intervention in support of his position.

ii. The Stirling Indenture

The impression from the available evidence that the events of August were followed by a lull may be coincidental, but it could also be an accurate indication that the leaders of the political community were waiting for and then digesting the results of the embassy sent from Inverkeithing. These results were, as has been said, remarkably quick in coming, as the Treaty of York, which provided a basis for James' release, was sealed on 10 September. At York it was agreed that the sum of £40,000 sterling would be paid as the 'maintenance' for the King's stay in England and that hostages should be given to guarantee payment of this sum.[90] This was as far as the ambassadors' powers, given at Inverkeithing, allowed them to go. It is likely that the two other subjects, which were included in the June instructions to the English ambassadors, were also discussed, namely the possibility of an English marriage for James and, more importantly, the establishment of an Anglo-Scottish peace or at least a truce.[91] The importance of this to the English has been mentioned but it was probably at the negotiations preceding the York treaty that this was made clear to the Scots as a fundamental part of any agreement. With a prestigeous Franco-Scottish embassy already in the kingdom and presumably engaged in raising the new army of Scots which Charles VII was seeking, this isssue must have created a considerable amount of trouble. Conflict, political or otherwise, between those who were strongly in favour of James' release and those involved with the maintenance of the French alliance must have been a possibility.

It seems likely that Sir Walter Stewart of Lennox attempted to exploit this new situation of tension to forestall the release of the

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90 *Foedera*, x, 299-300.
91 *ibid.*, 294-95.

King and increase his own political muscle. On 6 October he confirmed an 'engagement' which he had reached with France represented by his uncle, the Earl of Buchan and the other members of the French embassy, though Buchan was probably not present.[92] The letters which contained the engagement were sealed in the town of Stirling, presumably indicating that Walter was unwilling or unable to enter the castle which was in his father's custody.[93] The aim of the letters seems to have been to form a political alliance between Walter and the French government. Walter promised at the beginning of the document that he would "observe the ancient leagues and confederations between the said kingdoms of France and Scotland" and made a number of more specific offers of help. Firstly he undertook,

> that if it happens that a great band (of troops?), or group of ambassadors sent from the prince, the King of France, or merchants or other subjects of the said King arrive at the port of Dumbarton or others whoever from land or sea to us, subject to the said (King), that we will defend, sustain and maintain the said persons, groups and good men whoever of the said King".

The port of Dumbarton, under Walter's control as keeper of the castle, was the main route of contact for central Scotland with Charles VII's 'Kingdom of Bourges', the main Atlantic port of which was at La Rochelle.[94] This promise is largely a guarantee that Walter would safeguard this contact and allow Dumbarton to be used as a base for French involvement in Scottish affairs. The nature of this involvement is indicated by the list of men under Stewart's

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92 Archives Nationales, J 677, no. 20.

93 Murdac himself does not appear at Stirling between March 1423 and January 1424.

94 Dumbarton may have been used by Scottish forces going to France since 1419 and it was certainly the departure point for James' daughter Margaret on her trip to France in 1436. She also landed at la Rochelle as the main entry into Charles' territory (L.A. Barbé, *Margaret of Scotland and the Dauphin Louis* (London, 1917), 78).

protection and clearly includes diplomatic and trading links. However the "great band" also mentioned has military overtones and although this could refer to the army being raised by Buchan, it seems possible that Walter was seeking aid from Charles VII.[95]

This is made more apparent in the next clause of the engagement. In this clause Walter Stewart promises "to aid, comfort and support" the men-at-arms and archers from the King of France "to the kingdom of Scotland or the lords thereof" and to be employed against "his enemies and rebels". This can hardly be talking about Scottish forces being sent to France and must be a direct invitation from the heir to the Scottish governorship to Charles VII to intervene militarily in Scotland. The idea that French troops should be sent to help Walter was not necessarily far-fetched. Dumbarton was an obvious base and the Lennox was dominated by Walter's supporters and may therefore have been sympathetic to such a move. Moreover since 1419 the French had shown their ability to transport large numbers of troops between France and Scotland. In 1419, to convoy the initial Scottish expedition to the continent, the French had negotiated an agreement with the King of Castile by which 40 armed ships and 20 galleys carrying 200 men at arms and 4000 mariners and crossbowmen were to sail from the Belle Ile off Brittany, to Scotland.[96] The size of this expedition was to counter the threat of English naval activity but that in 1419 and again in 1421 Scottish forces of at least 6000 men were ferried to France suggests that a French military presence in Scotland was not impossible. The process of raising a fleet to transport the 'new army' must have been underway and, as Charles VII stated the following year that he had sent Buchan and his colleagues to Scotland with a large number of ships, a Franco-Spanish

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95 The phrase used is '*magnas manes*' which could refer to a military troop.

96 Wylie and Waugh, *The Reign of Henry V*, iii, 181.

flotilla may already have been gathered in western Scottish ports.[97] However given the existing strain on the military position of Charles VII which occasioned the search for Scottish reinforcements, it is unlikely that the French would be ready to open a 'second front' in Scotland in 1423, even if it was feasible to transport an army to Dumbarton. Walter may have hoped that he would receive military support in the urgent circumstances of 1423-4 in return for his guarantees of a favourable political climate for French recruitment once he was established.

The basis of these guarantees were included in the third clause of Walter's engagement. In this Walter promised to do all he could "to hinder the enemies and rebels of the King of France" and especially not to allow "peace or whatever other help, counsel or favour" to be given to those enemies. These promises were linked to the possibility of Walter becoming Regent, Governor or King, which, given his proximity to all these positions, may not be sinister. However as, by the terms of the whole document he seems to have been politically at odds with the existing King and Governor, the possibility of his rise to the governorship, at least, may have been on his mind. Walter was certainly stating his opposition to any peace with England and therefore to the release of the King linked to such a peace.

Walter therefore promised the French that he would allow them continued access to Dumbarton and that his protection would be given whist they remained there. He also promised to observe the Scottish alliance with France and prevent any English peace which would threaten it. In return, Walter seems to have received vague promises

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97 *Letters and Papers Illustrative of the Wars of the English in France during the reign of Henry the Sixth, King of England*, ed. J. Stevenson, Rolls Series, 2 vols (London, 1861-64), ii, pt. i, 15-17; Beaucourt, *Historie de Charles VII*, ii, 338.

of possible French military aid being sent to Scotland. However the document was not necessarily one-sided, as Walter may have expected considerable benefits to accrue from his close contact with the French cause. As both James and Murdac were associated with the English negotiations by October, Walter was probably able to pose as the leader of support for France. The amount of support which existed in 1423 for the French alliance cannot be accurately gauged but the number of Scots who were prepared to serve in defence of Charles VII's position suggests a degree of identification with the French cause. Even if this support was, at least partly, due to selfish reasons, as will be shown in the case of the leaders of the 1424 expedition, it seems likely that the link with France continued to hold an attraction for a number of Scots. The degree to which such sentiments could be employed to give Walter strong backing against those supporting the King's liberation is not clear but in 1433, for example, the political community felt sufficiently in favour of the French alliance to reject an offer of a long-term peace with England on terms more favourable than any offered again in the century.[98] The possibility of such suppport linked to discussions on military aid from Charles VII, even if not directly leading to civil war, makes it appear that Walter and his influential local support were prepared to oppose the English alliance and, more to the point, the return of James, with force.

The timing of Walter's agreement with the French ambassadors is also an indication of the domestic impact which he was attempting to make. While Walter was at Stirling with his 'council' and 'confederates', presumably the Lennox-men, and outside his father's castle, Murdac was at Perth. On 6-7 October, when Walter's final agreement with France was confirmed, the Duke of Albany was in the

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98 *Scotichronicon*, XVI, Ch. 23-24.

burgh, accompanied by a significant gathering of Scottish magnates. These included four bishops and three earls.[99] The duke seems to have held a well-attended council, the purpose of which was probably chiefly connected to the resumption of negotiations with England, which was planned for 20 October.[100] The presence with Murdac of men linked to the King and his release such as Walter Ogilvy, Alexander Forbes and, most importantly, Bishop Lauder of Glasgow reinforces this view. The chancellor was an infrequent member of Murdac's council in 1423-4 and his attendance may be a result of the role he was playing in the negotiations. Lauder had probably led the Scottish embassy sent in August and was one of the four negotiatiors who carried out the talks which were concluded in London at the beginning of December.[101] It seems plausible to assume, therefore, that Murdac was discussing the terms already agreed at York and issuing instructions to William Lauder about the conditions he was allowed to accept in return for James' release. It is highly probable therefore that the terms and nature of any agreement leading to a truce or peace with England were discussed at Perth. This was especially likely, as after York, the English requested that a future Scottish embassy be empowered to negotiate an English marriage for James and on the subject of the friendship between the two kingdoms.[102] It would be a strong coincidence if Walter's wholehearted guarantee of support for France was not timed to clash with his father's discussions on the question of an English truce to try to undermine the position Albany was adopting in foreign affairs. The failure of the London negotations to reach any further agreement in terms of either a marriage or a truce or peace may be an

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99 S.R.O., GD 16/3/8; GD 52/401; *A.B. Ill*, iv, 386-87.
100 *Foedera*, X, 296-300.
101 *Rot. Scot.*, ii, 240; *Foedera*, x, 301-308.
102 *ibid.*, X, 300.

indication that Lauder had not been given the power to conclude this business and that Walter's demonstration had dissuaded his father from a firm offer of friendly relations with England. Murdac may therefore have feared that, with his son's championing of the French alliance and the support that alliance was receiving, to break the link with France completely in early October 1423 would have dire political consequences.

In the light of this tension over the question of Scotland's international alignment, it is significant that having concluded an agreement with Walter, John, earl of Buchan, the leader of the French embassy, was in attendance on Murdac at Perth.[103] The meeting of Albany and Buchan in the presence of such other major political leaders as the Earls of Mar and Atholl and the Bishops of St. Andrews, Dunblane and Dunkeld, and probably Glasgow, was clearly a major political occasion. The engagement of Walter at Stirling must have been part of the reason for this meeting. If Murdac was aware of the terms of the agreement, he may have been anxious to prevent any French intervention and the danger it would bring of a direct clash between Walter and the King or his backers. The presence of the other Stewart earls and Murdac's son Alexander may indicate that the duke was making a call upon family unity and, as will be discussed later, the Perth meeting is the first indication of a coherent body of landed interests mustering behind the Governor. That Buchan was apparently associated with this group suggests that an understanding was reached between the two men, perhaps at this Perth council. As Buchan had surely been involved in Walter's guarantees and must have been opposed to any deal with England which would threaten his Franco-Scottish role, this new co-operation

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103 *A.B.Ill*, iv, 386-87.

suggests that some form of political arrangement was struck or was being prepared which would satisfy both men.

The basis of this deal is only apparent in the negotiations concluded just prior to James' release at the end of March 1424. In these negotiations a truce was agreed with England which excluded those already fighting in France for Charles VII by 1 May 1424 unless they returned to Scotland.[104] This formula was probably satisfactory to both Murdac and Buchan, and in the event to the King, and it may have been arrived at in October. This is suggested by the fact that when the Scottish troops finally sailed in 1424, they did so close to the conclusion of the truce.[105] This may have been to avoid adverse winter conditions by leaving as late as possible, but it could be that departure was delayed deliberately for political reasons. If this was the case, then it is interesting that the army was initially scheduled to depart before 6 December very close to the date on which the London negotiations were concluded.[106] That as early as the end of October a date for the departure was set, perhaps to coincide with a final agreement on the King's release, may indicate that the truce terms settled upon in 1424 had been offered by the Scottish before the end of October but rejected by the English.

The acceptance of such a solution by Buchan is plausible as his principal concern whilst in Scotland during 1423 was the successful creation of the 'new army'. Since 1419, Buchan's career had been almost solely as a military commander in France and his continued importance depended on his ability to raise large numbers of Scottish troops. If his meeting with the Governor on 16 October had resulted in a compromise which guaranteed the possibility of combining the

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104 *Foedera*, X, 331.
105 Balfour-Melville, *James I*, 104-105; *Liber Pluscardensis*, X, Ch. CXVIII.
106 Archives Nationales, J 680, no. 71; *Rot. Scot*, ii, 240.

departure of an army to France with the release of James, it could conceivably have aided his plans to raise the army. Only ten days after the Perth meeting, Buchan witnessed an agreement by the Earl of Douglas to go to France and it seems likely that negotiations had taken place between Buchan and the 4th earl well before late October.[107] Douglas could well have been the main instigator of Scottish involvement in the war from 1419 despite his own negotiations with Henry V in 1421. Douglas certainly possessed the foreign connections to organise the expedition. As early as 1402 he was described as being a friend of France, and, despite dealings with England and Burgundy, it was his connections which dominated the 1419-23 Scottish auxiliaries.[108] The command of the army was shared between Buchan, who was Douglas' son-in-law, and the 4th earl's own son, Archibald, created Earl of Wigtown probably just before his departure for France. Many of the subordinate commanders were kin or supporters of Douglas and the earl's own arrival was expected on at least one occasion.[109] The history of Douglas' foreign dealings suggests both that he never felt bound by the agreements he drew up and that he had been seeking to involve himself in continental warfare for a long time if he could negotiate the right deal.

The prospect of James' return which Douglas had worked to achieve and which he saw as being in his interests was, paradoxically, probably also fundamental to the earl's decision to depart. His son and heir, Wigtown, had probably returned from France before March 1423 and had thus not been part of Buchan's embassy.[110]

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107 Archives Nationales, J 680, no. 71.
108 Fraser, *Douglas*, i, 369; R. Vaughan, *John the Fearless* (London, 1966), 260; *Foedera*, X, 123-25.
109 Among these were John Swinton, William Seton and the Douglas lairds of Drumlanrig, Lochleven and Logton. Douglas seems to have been expected to cross to France (possibly with Mar) in early 1421 (Beaucourt, *Histoire de Charles VII*, i, 336).
110 *C.S.S.R.*, iii, 270. This marriage dispensation for Wigtown and Euphemia Graham was granted in late February 1423 suggesting Wigtown

It is possible that Douglas reduced his link with the French army when the prospect of James' release became brighter while at the same time he may have wanted to involve Wigtown in the preparations for his own departure.[111] The possible reasons for the earl's departure will be discussed later, but the timing of his agreement to go to France suggests that it was closely linked to the October discussions at Perth. By 26 October it was clear that James' release was likely to occur and there was the possibility that, if he could depart before a truce was brought into effect, Douglas could serve in France without leaving his family and estates open to retribution on grounds of treason. Therefore, on that date, at Glasgow, the 4th earl swore to observe the Franco-Scottish alliance and to pass into France with Buchan and the other ambassadors, "leading many lords in my company".[112] Douglas promised to have left by 6 December, a date which, as has been mentioned, was based on the likely conclusion of negotiations with England by then. When it became clear that a further series of discussions was needed, the departure of Douglas and Buchan was probably adjusted to immediately precede the conclusion of the truce.[113]

The final decision of Douglas to depart for France was probably the end of the threat of major tension over the changes being wrought in Scottish foreign policy in the preliminaries to James' release. It is possible that the influence of the 4th earl and his ambiguous

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was in Scotland or expected to return in the near future. This and the lack of reference to him on the commission with Buchan makes it likely that he had already returned.

111 *ibid*. The political implications of this marriage to Euphemia Graham support this idea.

112 Archives Nationales, J 680, no. 71.

113 *ibid*. The presence at this meeting of Seton, Swinton and Douglas' son, James, all of whom were personally involved with the French expedition suggests that the earl was already beginning to recruit his army. On the same day Buchan reached an agreement with Perruche de la Sau, master of the whaler, *Sainte-Marie* to transport the fleet (Beaucourt, *Histoire de Charles VII*, ii, 338-39).

position played a large part in the question. Buchan, although tied personally to the French alliance and therefore ready to back Walter's stance at Stirling, was primarily concerned with returning to France with Douglas and a large force of auxiliaries for Charles VII. Given Douglas' support for James' release, Buchan could not really go too far in backing Walter's hopes of using French aid to oppose the return of the King, and may well have used the Stirling guarantees simply to pressure Murdac into a deal. Later events would also suggest that family and landed ties encouraged Buchan to seek such a deal with his half-brother, the Governor.

The position of Walter at the end of October is not altogether clear. Despite the apparent arrangement between Buchan and Murdac, Walter was clearly still associated with the French alliance. He was present at Glasgow when Douglas took the oath to go to France and this presumably indicates his continued role as a supporter of French interests in Scotland and that he did not see the terms of the Stirling engagement as having been undermined.[114] If Walter had been hoping for immediate support for his position, either from France or from within Scotland, this was clearly damaged by the compromise reached over the terms of the truce. However, even if Walter finally accepted by late October that James' return was almost certain, he may well have hoped that his links with the French and his connection in the Lennox would guarantee him a degree of political influence, perhaps as the 'opposition' leader after James' return.

It seems likely that most of the other leaders of the Scottish political community had already accepted the fact of James' return following the talks at York and Pontefract. In addition to worries about the international position of the kingdom, fears about the attitude of the new King towards the nobility and a desire for

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114 Archives Nationales, J 680, no. 71.

protection against possible royal hostility seem to have dominated the activities of a number of major magnates during the autumn and winter of 1423-4. As would be expected, this was especially true of Murdac, duke of Albany whose recent move to supporting James' release could not disguise his position as leader of the regime which had worked only fitfully to restore the King. From October 1423 until the eve of the King's entry into Scotland, Murdac can be seen as creating a body of support for himself both within the earldoms and lands in his possession and amongst the other leaders of the Scottish nobility.

As Walter had been doing in the Lennox in August, there are signs that, from the autumn of 1423, Murdac was tightening his connections with the men of his estates and entrenching his local position, especially within the earldom of Fife. Fife had been at the centre of Murdac's authority throughout his governorship and the duke's affinity was clearly based on men from the area. The influence of the Albany Stewarts in the earldom probably worked through two long serving adherents of the family, John Lumsden of Glengirno and John Wright. Lumsden of Glengirno had been sheriff of Fife since at least 1397 and although lacking any proveable close connections with the Albany Stewarts must have been acceptable to Dukes Robert and Murdac.[115] His long tenure of an office dependent on Albany's goodwill must have made him a part of Murdac's local connection. Lumsden was with the duke at Falkland in late August, when Murdac may have been meeting Walter, and the next year was twice in attendance on Albany outside the limits of Fife.[116] John Wright also had a long history of connections with the Dukes of Albany. He was established in the office of constable of the Earl of Fife's

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115 Fraser, *Elphinstone*, ii, 228.
116 Fraser, *Carnegies*, ii, 510; Fraser, *Menteith*, ii, no. 55; Fraser, *Elphinstone*, ii, 226-28.

castle at Falkland by 1402 at the latest and, although he was possibly assisted initially by a colleague, he held the office throughout the Albany governorship.[117] In the same period he held lands in the earldom of Fife and received a number of payments from the Governors. Like Lumsden, Wright was with Murdac at Falkland in August and on at least one occasion in the next six months accompanied the duke to Stirling.[118] Both these men were clearly in contact with the Duke of Albany from late August 1423 onwards. If not extensive in scale this contact is more than can be previously proved and may suggest that Murdac was beginning to call more heavily on the influential men in Fife and expect their support. Another example of this comes from Albany's contacts with Sir John Wemyss of Reras, like Wright a vassal of the Earls of Fife as well as holding considerable lands in the barony of Leuchars.[119] Wemyss was also among Murdac's associates in the last months of the governorship and in late October 1423 resigned part of his lands in the earldom to Murdac for re-grant to his son David.[120] The presence of other Fife men, such as David Berclay of Luthrie, William Ferny and David Allardyce, with their earl at this point gives the impression that there was an increase in the attendance of minor landowners from the area on Albany as well.[121] Although there are less indications of

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117 *Scotichronicon*, XV, Ch. 12, l. 53. Wright and John Selkirk were the guardians of David, duke of Rothesay. By 1407 Wright was constable of Falkland (*R.M.S.*, i,nos. 892, 893).

118 *R.M.S.*, ii, nos. 655, 2593; Wright held the lands of Lenturk and Burnturk in Fife; *E.R.*, iv, 135, 182, 206; Fraser, *Carnegies*, ii, 510; Fraser, *Menteith*, ii, no. 55.

119 Fraser, *Wemyss*, no. 35; *R.M.S.*, i, App. 2, nos 1734, 1742, 1960.

120 Fraser, *Wemyss*, no. 35; S.R.O., GD 16/3/8.

121 Fraser, *Wemyss*, no. 35. All three men had long careers in Albany service. Ferny had been made Mair of Crail in 1391 during Robert's Lieutenancy (*R.M.S.*, i, no. 816) and probably came from Ferny in north-west Fife. Berclay is described as 'of Luthery', Luthrie, in the same area (*Calendar of Laing Charters, 854-1837*, ed. J. Anderson (Edinburgh, 1899) no 99), and was a regular attendant of Robert of Albany (e.g. *R.M.S.*, i, nos. 915-7, 919-24, 926, 927, 933-5). Both he and Allardyce are described as esquires of both Dukes of Albany (*R.M.S.*, i, nos. 934, 944. Fraser, *Wemyss*, no. 35.)

similar support from Menteith and Stirlingshire, the Governor was probably successful in preparing the traditional base of Albany influence for James' return. This was the case even if Murdac's ability to raise local support did not rival the backing which the Earls of Mar and Lennox could assemble from their more compact and military earldoms.[122]

More importantly Murdac also seems to have increased his personal contacts with a number of Scottish magnates whom he could expect to be sympathetic to his own position and worried by the attitude of the King to themselves. It is possible to see these contacts as starting with the well-attended councils which Albany held at Perth in October. At Perth, as has been mentioned, all three Stewart earls, Buchan, Mar and Atholl were present in the company of Murdac on 6 October.[123] The reliance by Murdac on his kinsmen amongst the earls at a meeting of political importance may be an indication that he was employing, or hoping to establish, a community of interest between the surviving junior descendants of Robert II. That he was successful in regard to his brother, the Earl of Buchan and his cousin, Alexander Stewart, earl of Mar, is suggested by the

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122 It is interesting that Wright and Wemyss were both connected to the arrest and death of Rothesay in 1402 as was a third of Murdac's local backers William Lindsay of Rossie (*Scotichronicon*, XV, Ch. 12; *E.R.*, iii, 552, 559-560).

123 *A.B.Ill*, iv, 386-787; S.R.O., GD 52/401; GD 16/13/3. The Bishops of St. Andrews, Dunkeld and Dunblane were also in Perth on 6 October. Whether they were involved in the negotiations which took place is not clear. Wardlaw of St. Andrews was also been present the next day when Murdac met Bishop Lauder (S.R.O., GD 16/3/8) and was the Duke's neighbour in Fife. However his role in 1424-5 does not appear to have been as a partisan of Murdac, he was a Privy Councillor of James in November 1424 (S.R.O., GD 119/167) and his presence may have been due to his status as head of the church. Cardeny of Dunkeld's attendance is similarly inconclusive. The meeting was held in his diocese and it may be a question of geographical proximity. However Bishop William Stephenson of Dunblane seems to have been an Albany adherent. During Murdac's governorship, he witnessed six charters and was present at the meeting between Mar, Crawford, Albany and Buchan in January 1424 (S.R.O., GD 205 II).

meeting of the two earls with Murdac which took place at Dundee in the middle of January.[124] The presence, with these Stewart magnates of Alexander Lindsay, earl of Crawford may provide evidence that a further major noble was in political alignment with the Governor during the last months before James' return. Although in isolation the occasional contacts of Murdac with these men is hardly conclusive, there are signs that at least Mar, Buchan and Crawford entered some form of arrangement with the duke.

The dealings of John earl of Buchan with not only Murdac, but also Walter and Douglas would seem to suggest that, although ties of kinship were significant in determining his political alignment, his relationship with his brother was not naturally predominant. This is not surprising as Murdac's return from captivity ended Buchan's main period of political importance, whereas from at least 1402 to 1416 he was a major figure in his father's governorship especially before Murdac's sons reached adulthood.[125] The return of Murdac and the advance of his branch of the family meant that Buchan had no real political prospects in Scotland and encouraged the departure of the earl to France. Although his links with Murdac may have helped him on the recruiting visits to Scotland in 1421 and 1423, John's committment to the Albany governorship must have been through his father, who had diverted considerable amounts of patronage to him, rather than his half-brother. His relationship with Murdac was one of ignorance. Murdac was probably about twenty years older than John and was absent as a prisoner in England during his brother's twenties and early thirties.[126] The departure of Buchan for France three

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124 S.R.O., GD 205 II.
125 Buchan's promotion to the office of chamberlain in 1407 and to the rank of earl in the subsequent period suggest he was, in the early years of the governorship, the intended successor to Albany (*E.R.*, iv, 43, *R.M.S.*, i, nos. 877, 939).
126 *S.P.*, i, 149, ii, 264, for their relative ages.

years later continued the lack of personal contact between the eldest sons of Robert, duke of Albany prior to 1423.

However, John's actions during October of that year were chiefly motivated by the need to maintain his position of importance in France. His presence with his brother, nephew and father-in-law in pursuit of this aim at least shows that these links of kinship provided some form of political framework for the earl while in Scotland. There were other more practical reasons why Buchan was bound to identify with the position of the Albany Stewarts in the face of James' return. Buchan's own involvement with his father's government meant that his Scottish holdings and his own person were potentially targets for royal hostility. Specifically, as chamberlain since 1407, Buchan had been theoretically responsible for the financial record of the Albany governorship and may have been worried about the King's reaction to the breakdown of central finances during the period.

More important than this was Buchan's participation in the family expansionism practised by his father. It was the work of Duke Robert that had created his second son's position in the Scottish nobility. While some of these lands came via political alliances with the Keith and Douglas families, many of John Stewart's north-eastern estates were obtained by a more dubious method.[127] The title to the earldoms of Buchan and Ross and the important lordship of Kingedward in Aberdeenshire had been granted to John after two resignations by the heiress of the lands, Euphemia Leslie, in 1406 and 1415.[128] That, following the second resignation, Euphemia entered a nunnery emphasised the shady nature of this deal.[129] The whole proceeding was challenged forcefully by Donald MacDonald, Lord

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127 *R.M.S.*, i, nos. 892, 893, 945-49.
128 *R.M.S.*, i, App. ii, no. 1976-77; S.R.O., RH 6/243.
129 *H.P.*, i, 29.

of the Isles who was, in practical terms, independent from the authority of Albany, and who was married to Euphemia's aunt, Mary or Margaret Leslie. Donald probably died during 1423 but his widow and son both continued to claim the Leslie lands and in particular the earldom of Ross.[130] John earl of Buchan must have been concerned that the rival claim to his lands and his own dubious acquistion of them would arouse royal interest and that as an obvious member of the Albany Stewart 'establishment' he was a potential target. Thus despite Buchan's lack of personal contact with Murdac, both men had much to lose if James was to prove hostile to the previous regime, and this knowledge probably led to both the compromise on the French alliance and the political understanding between them. This understanding was probably sealed at Stirling in late January when Buchan granted his brother the barony of Touchfraser in Stirlingshire and a number of Perthshire estates in the lordship of Kincardine O'Neill.[131] As Buchan must have been preparing for his departure to France before the end of March, it is tempting to see the grants as being part of a deal with Murdac to safeguard his Scottish lands against the effects of James' return.

Alexander earl of Mar may have felt similar anxieties about his position in Scotland if James was to return as, like Buchan, his lands and influence had been achieved largely as a result of Albany Stewart support. This support had enabled Mar to achieve a position of local predominance in north-eastern Scotland by 1424. Central to Alexander's regional authority was his earldom of Mar and Garioch in western Aberdeenshire. He had probably attained control by forcibly marrying the widowed heiress of Mar in 1404.[132] This action may well

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130 J. and R.W. Munro, *The Acts of the Lords of the Isles*, Scottish History Society (Edinburgh, 1986), App. D, no. 299.
131 Fraser, *Menteith*, ii, no. 55; N.L.S., Ch. no. 699.
132 Andrew of Wyntoun, *The Orygynale Cronikyl of Scotland*, ed. D.Laing, 3 vols (Edinburgh, 1872-79), iii, 103-104.

have had the backing of Duke Robert of Albany and subsequent good relations between the Governors and Mar seem to have worked in the interests of both. The basis of this relationship was formed by the local needs of the Albany Governors in the north-east where the influence of the central government had been under threat from the eastward expansion of the lordship of the Isles. Throughout the Albany governorship this already tense situation was exacerbated by the competing Albany Stewart and MacDonald claims to the Leslie inheritance with which the Governor was attempting to endow his second son. The main result of the conflict which arose out of this rivalry was to reveal the impotency of the Albany Stewarts beyond the Mounth in the face of pressure from the lordship of the Isles. This is best illustrated by the inability of the Governors to contain the lordship and retain the earldom of Ross.

The realisation of this weakness was probably forced upon the Duke of Albany by the invasion of Aberdeenshire by Donald, lord of the Isles in 1411. Whether by accident or design, Robert only intervened in person after the forces of the lordship had been repulsed by a local army from "Mar and Garioch, Angus and the Mearns" at the battle of Harlaw.[133] This army had been assembled and led by Alexander earl of Mar and it was probably his role at Harlaw that encouraged the Dukes of Albany to look to Mar as their local representative in the areas of the north-east which were threatened by the expansion of the lordship. The extent to which Mar was established in this role by the time Murdac assumed the office of Governor in the latter part of 1420 is shown by an agreement between the new Duke of Albany and Earl Alexander.[134] This agreement was probably in large part a renewal of an earlier indenture made between

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133 *Scotichronicon*, XV, Ch. 21, l. 45-76; *H.P.*, i, 29-32.
134 Fraser, *Menteith*, i, 261-62.

Duke Robert and Mar some time after 1411 to establish the special powers of the earl in the north. Probably at the heart of the agreement is the statement that " ... our lord the Governor sall gif hes letteris patentis till the said Earll of Mar of power to be steadhaldand till him, efter the tenor of the letters, the quhilks the said Earl hede of umquhilum our Lord the Governor..." The general grant of the power to be 'steadhaldand' for the Governor presumably indicates that Mar had been acting as the lieutenant of the Albany Stewarts in the north. The area of Mar's operations is indicated in the financial arrangements of the indenture. Albany granted the earl half the profits of justice from Aberdeen Banff and Inverness-shires as well as the costs of holding the justice ayres with a stipulation that Mar "sal doe all his bisness and diligence till bring justris till the honour and profit of the said lord the Governor for beath ther profit". This shows that Mar was acting as justiciar in those shires and that Murdac had delegated his local judicial authority to the earl as the only way of maintaining any system of central justice. A similar attitude pertained to the crown lands in central Moray, the region between Aberdeenshire and the Great Glen. The Earl of Mar was given the revenues of Badenoch, Urquhart and "Strathowne"[135] and was to "do al his gudlie bisnes to bring and sett the saidis landis... till the maist profitt that he may, and vithin als schort tyme as he may" at which point half the revenues would pass to the duke. Thus Mar had been given unprofitable and untenable crown holdings and encouraged to use his resources to make them more valuable.

As well as determining the extent of local delegation to Mar in the north, the indenture also formed a political agreement on

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135 "Strathowne" may be identified with Strathavon, a valley running into Strathspey.

possible sources of trouble between Murdac and Mar which emphasises the long-standing co-operation of the two men prior to 1423. Specifically Murdac agreed to give his backing to the hold of Alexander's family on the earldom by infefting the latter's illegitimate son, Thomas, with Mar if the earl could obtain a confirmation from the King. In addition Albany promised to prevent the planned marriage of Walter Stewart of Lennox to a daughter of Sir Robert Erskine who possessed a rival claim to Mar.[136]

The basis of the relationship between Mar and the Albany Governors was therefore that Mar effectively exercised the judicial and political authority of the dukes in areas otherwise outside their control and that the earl and his son would be bound to them as members of their special retinue. In addition it is likely that Mar was bound to the Albany Stewarts because he was reliant on the "maintenance, helpe and suppleie" which Murdac promised to continue following his father's death. The details of this were given in separate "lettres, baunde and seille" but the exchequer accounts reveal the extent of Albany backing for Mar's activities in the north. Between 1411 and 1424, Mar received over £3,500 from the central government.[137] This included an anuuity of £266 from at least 1412, half of which came from the Aberdeen customs, and the anxiety of the Governors to pay sums owing to Mar in 1418 and 1421 suggests that they were aware of the importance of maintaining the earl's financial resources.[138] Specific payments made to Alexander for his building work at Inverness castle and for food and weapons to

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136 That Walter was to obtain a dispensation for this wedding in 1421 (*C.S.S.R.*, i, 250) possibly as part of a dispute with Murdac is perhaps evidence, ironically, of the importance to the Governor of the agreement with Mar.

137 *E.R.*, iv, *passim*. Mar received £3,524 7s 9d in this period and £ 713 17s 2d in the accounts from 1406-1412.

138 *E.R.*, iv, 163, 211, 225, 237, 248, 255, 274, 287, 298, 347, 355, 359, 375.

supply ships being sent against the 'insulares' in 1416 indicate the role played by Mar in the north-east.[139] In the situation in the area during the first decades of the fifteenth century, Mar's role was a primarily a military one and the sums paid by the Governors were probably largely used to finance the earl's control of the debateable lands allotted to him in the 1420 indenture.

Mar's landed origins and political position in 1423 both owed a considerable amount to his connection with his uncle and cousin, the Dukes of Albany. The local predominance in the north-east which he had established had been based on the needs of the Governors for a strong lieutenant in the area to defend their interests. In 1423, with the possibility of major political upheavals accompanying the return of the King, the natural alliance of Mar in central politics was with Murdac who already had formal political ties with the earl and who had co-operated effectively with him since 1420.

In considering the importance of Mar as an ally of Murdac, it is necessary to understand the growth of the earl's following in the years before 1423. It was the existence of this following which gave the earl the ability to act as the representative of central government interests in the north for so long while conversely it may also have been the decision of the Governors to "helpe and suppleie" Mar which allowed him to retain such widespread backing. The actions of the earl and those who made up his affinity throughout the 1420s certainly suggest that both parties respected the importance of the relationship and the need to retain the support of the central government.

Harlaw provides the earliest indication of the scale and importance of Mar's backing. The local army from "Mar and Garioch, Angus and the Mearns" which Mar led at the battle was clearly of

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139 *ibid.*,iv, 211, 227, 255, 265.

considerable size even if not the 9,700 men named in one 17th century account.[140] It may have been the urgent needs of the landowners of Banff and Aberdeenshire for local leadership in this major warfare against the lordship that accelerated the rise of Mar to a position of regional authority in the twenty years from 1404. The lands of the earldom of Mar were the traditional bulwark against attacks on the lowlands of Aberdeenshire from the west. These lands stretched up the valley of the Dee and guarded the routes into the lowlands through the Grampians while Garioch, which was attached to Mar, lay on the route into Aberdeenshire down the Don valley. It is significant that Donald's invasion of Aberdeenshire in 1411 was launched along this latter route and was stopped by Mar on lands in his lordship of Garioch. The adoption by Mar of the traditional role of defender of Aberdeenshire probably guaranteed the earl a certain local following despite his previous record as a cateran and his dubious takeover of the title to the lands of Mar and Garioch.[141] The army at Harlaw must have been based on this "army of the earldom", Earl Alexander's tenants and their kin. This included Alexander Forbes of that ilk, Alexander Keith of Grandon, William Leslie of Balchane and Alexander Irvine of Drum. Forbes, Keith and Irvine, as well as another vassal of Mar, Walter Lindsay of Kinneff, all participated in various foreign exploits of the earl.[142] Expeditions to England in 1406 and to the Burgundian Netherlands in 1407-8 may have been undertaken, in part at least, to cement the links between the earl and his vassals. These men, and especially Forbes and his brothers, were to remain in close contact with their

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140 *Scotichronicon*, XV, Ch. 21, l. 55-66; *H.P.*, i, 29-32.
141 *Scotichronicon*, XVI, Ch. 25, l. 1-15. Bower gives an account of Mar's transformation from cateran to 'respectable' member of the political community.
142 *Wyntoun*, iii, 103-104.

lord up to and beyond 1424 and played an important role in his political actions.

Another source of support for the earl was provided by Mar's links with Aberdeen. These links went back to before Alexander's acquisition of the earldom and were initially based on his defence of the burgh and the surrounding area. In 1412 there was an instruction that no burgess "have lord or lordship other than the King, the duke or the Earl of Mar". The relationship was further bolstered by Mar's successful partnership with several burgesses in North Sea Piracy.[143] That his chief lieutenant in piracy was the Provost of Aberdeen, Robert Davidson, suggests that the city government was working in concert with Mar prior to 1411. Davidson himself was killed at Harlaw, presumably leading the burgh contingent but Mar clearly retained close links with the new provost, Gilbert Menzies, and the rest of the burgess population.[144]

Perhaps the best evidence that Mar had established an exceptionally wide following is provided by his links with families beyond the normal Aberdeenshire limits of the earldom's influence, which may indicate the widespread fear of disorder during the Albany governorship. According to Bower there was a force from Angus and the Mearns at Harlaw probably led by Alexander Ogilvy of Auchterhouse, sheriff of Angus, and including James Scrymgeour of Dundee, Thomas Maule of Panmure and James Lovell of Ballumbo.[145]

These people may have turned out due to the scale of emergency in

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143 *A.B.Ill*, iv, 177, 183; *Miscellany of the Spalding Club*, Spalding Club, 5 vols (Aberdeen, 1841-52), v, 39-40; *Proceedings of the Privy Council*, ed. H.Nicholas, Records Commission, 7 vols (London, 1834-37), ii, 94; *C.P.R.* (1408-13), 173; names Mar, John Bodville and Robert Davidson as captors of the 'Thomas de Londres' in 1409 (Mar held the office of Admiral in 1423).

144 *Scotichronicon*, XV, Ch. 21, l. 63; *Registrum Episcopatus Aberdonensis*, Spalding and Maitland Clubs, 2 vols (Edinburgh, 1845), i, 220.

145 *Scotichronicon*, XV, Ch. 21, l. 57-62.

1411 but the presence of Scrymgeour on the earl's expedition to Flanders is an indication of some prior contact with Angus landowners.[146] Certainly after Harlaw Mar's strong links to the Ogilvy family and his promotion of them in Aberdeenshire suggests that in 1423 the earl enjoyed the support of this influential Angus kin.[147]

Given events at Harlaw and the role of the Earl of Mar in the lands of Urquhart and Badenoch, areas which would be exposed to pressure from the lordship and their local agents, it is likely that the earl's following and especially his vassals in Mar and Garioch were expected to undertake military duties. If Earl Alexander's affinity was used to acting as a private army in the struggle against the lordship, this would surely give Mar an increased importance in the political circumstances of 1423-4. It would at the very least suggest that the earl's supporters were more used to acting as a tightly-knit group behind the earl.

However while they may have functioned in this way in defence of their north-eastern lands, the supporters of Mar were probably less anxious to become embroiled in a national dispute. It must be of significance that Mar was in relatively frequent touch with a number of his followers in late 1423 and early 1424 and he may have been re-assuring himself of their backing. His involvement in a series of grants to members of the Forbes and Ogilvy families which took place during October may mark the beginning of this process. The presence of the earl at Aberdeen in late October, after the meeting at Perth, and at Kildrummy in January, just before he met Murdac, Buchan and

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146 *Wyntoun*, iii, 103.

147 Mar may have been behind Patrick Ogilvy's marriage to the heiress of Keith of Grandoun. In 1422 he described Patrick as 'our confederate' (*A.B.Ill*, iii, 578). The involvement, fatal to Patrick's grandfather, of the family in the defence of Angus against cateran raids since the 1390s was probably part of the reason for the strength of the relationship.

Crawford at Dundee suggests he was keeping his affinity in contact with his political actions.[148] Mar was back at Aberdeen by 20 February for a final meeting with his local supporters.[149] At all three of these occasions Mar was accompanied by his chosen heir, Sir Thomas Stewart, as well as his brother, Andrew Stewart of Sandlaw, possibly to emphasise the dynastic position of the earl which was a major concern of his. The earl was also attended by a number of influential locals. Alexander Forbes was with Mar at Perth on 6 October and was probably with him again later in the month.[150] He was also with Mar at Kildrummy in January and appeared with his brother, William Forbes of Kinnaldie, at Aberdeen in February.[151] Similarly Alexander Irvine of Drum was at Kildrummy, and the February meeting which was also attended by a significant number of Aberdeen burgesses headed by the provost, Gilbert Menzies.[152] There seems therefore to have been quite frequent contact between Mar and his major local supporters during the period from October 1423 to the following March. That this period coincides with his meetings at Perth and Dundee with Albany and the two other earls would seem to link Mar's activities in the north-east with the political contacts being made by the Governor. Such co-operation is not surprising given the links between Albany and Mar which were laid down in the 1420 indenture and which may have made the earl naturally sympathetic to Murdac.

The attitude of the Earl of Mar may have had a bearing on the decision of John, earl of Buchan to associate himself with his brother's political stance in late 1423. Mar had probably been in

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148 *Spalding Misc.*, iv, 127; *A.B. Coll*, 555.
149 *Abdn. Reg.*, i, 220.
150 *A.B. Ill*, iv, 386; *Miscellany of the Maitland Club*, Maitland Club, 4 vols (Glasgow, 1833-47)i, 378 (This can be tentatively dated to 24 October 1423).
151 *Abdn. Reg*, i, 220.
152 *A.B. Coll*, 555; *Abdn. Reg*, i, 220.

contact with Buchan over a long period of time and possessed similar political concerns. Buchan's main estates lay in the north-east, the area which Mar effectively controlled for the Albany Stewarts. During the period of Mar's influence, Alexander Forbes, and Patrick Ogilvy of Auchterhouse received estates in Buchan's barony of Kingedward from the Frasers of Philorth and the Keiths of Grandon.[153] This meant that by 1423, two of Buchan's major tenants were men closely associated with the Earl of Mar. As well as possibly indicating that Mar was directing local patronage into the hands of his supporters, this must have provided a further contact between the two men. There is no evidence of local friction between Mar and Buchan and, as both had a vested interest in opposing the expansion of the lordship in pursuit of its claims to the Leslie lands which Buchan held, they may well have co-operated. Buchan probably recognised that he lacked the local connections to challenge Mar and it seems likely that after 1419 Mar, or his supporters, were defending Buchan's interests in the north-east while the latter was in France. These links between Mar and Buchan certainly aided any co-operation which took place in late 1423 and early 1424 even if more general reasons were just as important.

The main reason for Mar and Buchan's apparent political alliance with Duke Murdac was probably their long-term involvement in the Albany governorship. This can hardly be applied to Alexander Lindsay, earl of Crawford, who also seems to have been in touch with the Governor during early 1424. Although he was not at the Perth council in October 1423, Crawford was possibly already being encouraged to align himself with the nobles who attended. On 16 October, Crawford was at Dundee granting lands in the Fife lordship

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153 *R.M.S.*, ii, nos. 109, 110, 2898; *A.B.III*, iv, 382.

of Ballinbreich to his uncle, William Lindsay of Rossie.[154] The grant was given with the consent of David, master of Crawford, and this may indicate a meeting of the main members of the family. The significance of a meeting of the earl and his kin at this time is suggested by the fact that a week later William Lindsay of Rossie was at Inverkeithing in the company of Duke Murdac and his immediate household.[155] In the context of late 1423, the grant of lands by Crawford to his uncle followed by the latter's presence with Albany could show that an arrangement was being worked out between the two magnates in which Lindsay of Rossie was the chief negotiator.

William Lindsay was ideally suited for this role. He was a vassal of the earls of Fife in his lands of Rossie and other estates and had been an auditor of the exchequer in the two accounts rendered during the governorship of Murdac.[156] He had also witnessed two of the duke's charters prior to October 1423.[157] As well as these significant contacts with Albany, Lindsay of Rossie also seems to have been influential in relation to the Earls of Crawford. He was an executor of his brother, the 1st earl's will and acted as tutor to David, the younger brother of Earl Alexander. In 1413 and 1415 William received the annuity of the earl from Aberdeen.[158] All these roles would seem to indicate Lindsay of Rossies' position as a senior figure in family affairs. As a result it was probably his guidance in 1423 which pushed his nephew towards some form of deal with the outgoing Governor. Rossie's desire to assure his position with both Albany and Lindsay families was probably increased by the knowledge

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154 N.L.S., ADV 34.6.24, 183v; A. Lindsay, Lord Lindsay, *Lives of the Lindsays; or a Memoir of the Houses of Crawford and Balcarres*, 3 vols (London, 1849), i, 101.
155 Fraser, *Wemyss*, no. 35.
156 *R.M.S.*, i, no. 938; *H.M.C.*, XII, app. 8, 158; *E.R.*, iv, 337, 358.
157 *R.M.S.*, ii, no. 48; N.L.S., ADV. 20.3.5., no. 70
158 *E.R.*, iv, 35, 49, 170, 225, 366.

that he was the survivor of the two men who arrested James I's brother, Rothesay in 1402.[159] He was probably seeking security within a powerful aristocratic clique which the King could not touch.

Interestingly, the relations of both of the Earl of Crawford's uncles and especially those of William's younger brother, Walter Lindsay of Kinneff, with the Earl of Mar probably also had a bearing on the contacts of Crawford in 1423-4. Both William and Walter Lindsay were vassals of Mar and, as we have seen, Walter accompanied the earl on his trip to England.[160] In October 1423 both of Crawford's uncles were in Aberdeenshire probably consolidating their ties to the earl and his other vassals.[161] These meetings between the Lindsays and Albany and Mar may also have been to arrange the gathering of all four magnates at Dundee in January 1424 when the final nature of their 'band' and Crawford's involvement in it may have been discussed.[162]

The meetings and links between these four major magnates, Albany Buchan, Mar and Crawford, both in October 1423 and again the following January, point to active preparations being taken in anticipation of the King's return. What was the aim of these men in establishing or strengthening ties with each other and with their vassals? It seems unlikely that they were thinking in terms of opposing James' release. Once the Governor's stalling tactics prior to August had failed, he seems to have become involved in negotiating the return of the King to an extent which brought him into conflict

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159 These links may have arisen from the position of the Lindsays following the death of the 1st earl of Crawford in 1406 before his son had fully attained his majority. The earldom had probably been created to defend Angus against caterans and, like the Ogilvies, the Lindsays probably turned to Mar to provide that role.

160 *Wyntoun*, iii, 103.

161 *Spalding Misc.*, iv, 127; *Maitland Misc.*, i, 378.

162 S.R.O., GD 205 II. The good relations between Mar and Crawford are also suggested by the position of Mar's brother, Andrew Stewart of Sandlaw as sheriff-depute of Aberdeen, an office in the gift of Crawford (*Abdn. Reg.*,i, 220).

with his eldest son. Murdac's readiness to accept the return of James is certainly suggested by his activities following March 1424 and it may not have seemed an unreasonable position to adopt in the circumstances of late 1423. After all the period since 1357 had been full of changes in regime similar to what was expected to occur in 1424. The return of David II from English captivity, the accession of Robert II, the 'palace coups' of the 1380s and the rise and fall of the Duke of Rothesay must all have influenced the expectations of the political community. In these examples, only once did the leader of the outgoing regime fail to survive the transfer of power. Although, ominously enough, this was Rothesay, who died in the custody of Robert, duke of Albany, even his death was reportedly natural and the part of Albany and Douglas in it was excused.[163] Thus recent political history suggested that the physical survival of Murdac could be expected in the new governmental climate.

It was probably to improve the chances of this survival that Murdac involved himself in a powerful landed clique whose interests of survival could be identified with his own. Certainly Buchan and Mar were part of the Albany 'establishment' whose mutual northern interests had been created by service to the Governors. If accusations and punishments were to be brought against the duke, their own positions could be put under similar pressure. Buchan's planned departure to France probably made him more anxious to safeguard his landed and political interests in Scotland before he left. The grants he made in late January to Murdac were probably to ensure protection of Buchan's Stirlingshire estates while Mar was to watch over his lands in the north-east.[164] Similarly by December,

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163 However the anxiety of those involved in Rothesay's death to adhere to their powerful patrons and the later attitude of the King emphasise the doubts about David's arrest and treatment.
164 Fraser, *Menteith*, ii, no. 55; N.L.S., Ch. no. 699.

and possibly as early as October, the Earl of Crawford had been named as a hostage for the payment of the King's ransom.[165] His lands were to be left in the hands of his son, David, who was probably only a young man. The political experience of Lindsay of Rossie makes it likely that he was made a major councillor of the Master, a role which may be connected to the grant of lands to Rossie in October 1423.[166] Crawford's contacts with Albany, Mar and Buchan in the six months after that grant make it likely that the first two of these lords were expected to use their political weight to defend the earl's interests.

The role to be played in these schemes by Buchan's French contacts and the military resources under his, rather than the Earl of Douglas', command may be shown by the presence of a 'Sir Walter Lindsay' amongst those slain with Buchan and Douglas at Verneuil.[167] It is plausible to assume that this was Lindsay of Kinneff who, having resigned several estates to Mar late in 1423, is not on record in Scotland subsequently.[168] If Lindsay of Kinneff led a company of Scots troops to France in Buchan's force this would give weight to the idea that the army being recruited in 1424 had a political purpose. Given the location of Lindsay's lands and his family links, his men were probably from Angus and Aberdeenshire and themselves tied to Mar and Crawford in Scottish political terms. Thus the combination of Buchan, who may have raised men from his own and Albany's lands, and Lindsay of Kinneff may be a sign that the army was bound up to Murdac's attempts to guarantee the political survival of his family. The presence of a group of supporters, possibly numbering several thousand, at arms in France may have been to act as

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165 *Rot. Scot.*, ii, 240.
166 N.L.S., ADV. 34.6.24, 183v.
167 *The Wars of the English in France*, ii, pt. ii, 395.
168 *Spalding Misc.*, iv, 127.

an insurance policy in Scotland. The use of the army to this end may have been planned from the October meeting of Albany and Buchan which agreed to the terms of the truce that allowed the force to go without condemnation as traitors.

However it seems likely that Murdac and his political associates were hoping to establish links with the new regime which would make such attempts to safeguard their positions unnecessary. It may have been the value of the Forbes and Ogilvy families in such a process which made them of such obvious importance in the months prior to James' return. Alexander, lord of Forbes, Patrick Ogilvy of Auchterhouse and his uncle, Walter Ogilvy of Lintrathen were present at the Perth meetings which initiated Albany's preparations and all three received confirmation of at least part of their estates.[169] Similarly Forbes was at Aberdeen later in the month to receive the lands of Alford resigned by Lindsay of Rossie, and Patrick Ogilvy was present at the meeting of Murdac with Mar, Buchan and Crawford at Dundee in January where grants of land were confirmed to another of his uncles, John of Inverarity.[170] The apparent domination of the meetings between the magnates connected to the Governor with business cocnerning these two families may be an accident of survival but it is striking nonetheless.

Part of the reason for this Forbes-Ogilvy link is to be found in the importance of the families in the north-eastern areas at the heart of the lands held by the Earls of Mar, Crawford and Buchan. Buchan's grants to Alexander Forbes and Patrick Ogilvy confirming their lands in the earl's barony of Kingedward in October and December 1423 can certainly be seen in this light as a preparation

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169 S.R.O., GD 16/3/8; *A.B.Ill*, iv, 386; *R.M.S.*, ii, no. 110; S.R.O., GD 16/3/8.
170 S.R.O., GD 205 II.

for John Stewart's prolonged absence.[171] In the same way the two families' contacts with Mar and Crawford need not be exceptional.[172] It is, however, interesting both that Albany's confirmation of Forbes' lands falls into this period and that, probably on 26 October 1423 at Aberdeen, William Lindsay of Rossie chose to resign his lands of Alford to Forbes. On the same day Lindsay of Kinneff resigned his lands of Gerry and Cocklarachy to Mar.[173] As both Lindsays were closely involved with Albany and as Walter at least had been previously in dispute with Forbes, this resignation of lands is important and could suggest a desire to smooth over a possible area of conflict between vassals of the earl.[174]

That Forbes benefitted from the settlement and that both he and the Ogilvies had their landed positions secured before March 1424 may be due to the links they enjoyed with the King. In 1423 Alexander Forbes married James' niece, Elizabeth Douglas, a match which may have resulted from Forbes' links with the King. These links are shown by Forbes' attendance on the King in France.[175] That the safe-

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171 *R.M.S.*, ii, nos. 110, 2898; *S.P.*, iv, 48 (gives date of Buchan's grant to Forbes as 13 December 1423).

172 Mar's links with the Forbes and Ogilvy, as has been mentioned, were close. Forbes held the lands of Craiglug and Edinbanchory and and lordship of Forbes itself from Mar.(*A.B.Ill*, iv, 457-458). The profitable marriages of his younger brothers, William and Alexander to daughters of Fraser of Philorth and Cameron of Brux occurred under Mar's local influence and made all three brothers vassals of the earl in new lands.(*R.M.S.*, ii, nos. 54, 56, 127; *A.B.Ill*, iv, 38). The marriage of Patrick Ogilvy to Christina Keith in 1413 made him another major landowner in the north-east.(*A.B.Ill*, iv, 382). Walter Ogilvy's marriage to Isabel Glen meant that he too was a vassal of Mar. The strength of these ties and the subsequent links between Mar and these families makes it likely that it was Earl Alexander who provided the basis for the connection of the four magnates with these James I supporters.

173 *Spalding Misc.*, iv, 127; *Maitland Misc.*, i, 378. The date of Rossie's resignation is lacking the month but as the year and day coincide with Kinneff's it may also be in October.

174 *A.B.Ill*, iv, 380.

175 Elizabeth was the sister and heiress of William, Earl of Angus, who, in November 1423, recognised Forbes' rights and agreed not to sell his possessions. This perhaps provides another indication of Forbes' temporary importance (Fraser, *Douglas*, iii, no. 381).

conducts granted in June and October 1421 for this included forces of 30 and 40 lances may be a sign that Forbes had agreed to provide part of a military retinue for the King.[176] Whether or not he actually went, the trust between the two men was probably established by the King from exile. Both Forbes and Walter Ogilvy were named on a safe conduct of May 1423 and both of them had risen to the King's privy council by November 1424.[177] The rise of Ogilvy to the heart of James' administration in the first year of the reign makes the pre-1424 contact between the two men of significance. A third figure, Alexander Seton of Gordon appears both in the planned retinue of 1421 and in the May 1423 safe-conduct and in January 1424 received a grant of the lands of Meikle Wartle in Garioch from the Earl of Mar.[178] Given the lack of earlier contacts between Mar and Seton and the fact that, like Forbes and Walter Ogilvy, Seton was a man with connections to James, this charter is clearly interesting. Although Seton of Gordon was sent south as a hostage in early 1424, the grant seems likely to have been part of a concerted attempt to establish links with the King via landowners from the north-east already in touch with him.[179] This was to prove unsuccessful as far as Murdac was concerned but the links of Mar with his Ogilvy and Forbes vassals were to be a major reason for his political survival between 1424 and 1427.

Murdac was therefore pinning his hopes of weathering the change in the political situation by creating a powerful group of aristocratic interests around himself which would dissuade the King from a direct assault on any of the magnates involved. Despite the support he had given to the King's release, the Earl of Douglas also

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176 *Rot. Scot.*, ii, 230.
177 *C.D.S.*, iv, no. 927; S.R.O., GD 119/167.
178 *A.B.Coll*, 555.
179 *Rot. Scot.*, ii, 240.

faced an uncertain set of problems in the autumn and winter of 1423-4. His decision to raise an army and cross to France was almost certainly linked to the return of James. Douglas' political record in Scotland was such that he did not wish to experience the King's authority in person. In addition, Douglas' behaviour as earl shows a desire for independent action which would have led to a clash with James' ideas about the power of the crown. In 1423-4 the offer of a French duchy and the leadership of large forces in a major European war must have appeared as a far better prospect than remaining in Scotland and attempting to balance the various political factions there. As has been mentioned, Douglas may have seen the King's return as providing the security for his landed position in Scotland which would allow him to start his French career. Aside from his own personal ambitions, the 4th earl of Douglas was probably aware that his absence would increase the prospects of good relations between the crown and the Black Douglas family. The King would be prepared to work more readily with the Douglases without the presence of the earl and a large number of his supporters as a potential source of threat for the crown. At the same time, it is probable that, like Buchan and his force, Douglas was aware that the existence of a private army in France would be a guarantee of the security of his kin and lands in Scotland. That amongst the leaders of the 6,500 men, who were mustered by Buchan and Douglas in 1424, were John, lord of Swinton, Alexander Hume of Dunglass, and William Seton, suggests a large proportion of Douglas men in the army. All three of these men were long-term adherents of the earl and their presence with him in France points to a Douglas retinue which could return to Scotland if the 4th earl's interests were under attack.

However, unlike the Governor, Douglas had established political links with James I prior to 1423 and was able to rely on those links

up to a point. The negotiations which the 4th earl had undertaken in 1421 on James' behalf and the meetings between the King and William Fowlis in 1422 and 1423 must have included discussions on the position of the Black Douglases once James had returned. Although the 4th earl was not prepared to remain himself and might not have been welcome after the King was in Scotland, he probably had received assurances about the future of his lands. From events after April 1424 it seems likely that James regarded the Douglases as a natural source of support for his regime and his involvement of Douglas men in his council contrasts with his exclusion of representatives of the old Albany governorship. The attitude of the 4th earl in 1423 and the problems he faced were different in degree to those of Albany, Mar, Buchan and Crawford. Like the last two, however, Douglas needed to arrange a secure administration for his Scottish estates which would ensure their safety and smooth running in his absence.

Archibald, earl of Douglas may have begun these preparations as early as July 1423, and for the next six months was active in the areas of his influence dispensing patronage and making arrangements to facilitate the continued authority of his family and his own departure. During that period, Douglas visited most of his chief residences and dealt with business concerning a wide section of his estates. He was at Edinburgh in July 1423 and at Glasgow in late October to confirm his departure for France.[180] He may have remained in Lanarkshire during the next few weeks before visiting his castle of Lochmaben, the centre of his Dumfries-shire lordship of Annandale, where he was present on 22 November.[181] He had returned to Lanarkshire and was at his stronghold of Bothwell by 10 December.[182] He was still in the castle at the outset of the Christmas festivities

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180 *R.M.S.*, ii, no. 13; Archives Nationales, J680, no. 71.
181 *R.M.S.*, ii, no. 143.
182 *ibid.*, ii, no. 256.

before returning to Edinburgh by early February.[183] From July to February, Douglas issued acts which concerned lands in Berwickshire, Roxburghshire and the earl's great territorial lordships of Galloway and Annandale. Part of the purpose of this tour of his main lands in southern Scotland is indicated by the presence with him of his major subordinates in the French army or their kin. The second son of the earl, James, was at Glasgow with his father during the negotiations with Buchan, while Seton, whose son was to depart with Douglas, Hume and Swinton also attended the earl at some point. It seems reasonable to assume that the 4th earl's movements were in part to prepare for the French expedition.

However the deliberate contact made by Douglas with the southern localities which he had dominated under the Albany Governors probably had another purpose. All the business enacted in this period by the 4th earl received confirmation by a member of his family before the King returned to Scotland. This makes it seem probable that Douglas was giving a last reminder of his own local authority and preparing his vassals for a handover of power. The responsibility for most of the Douglas estates was clearly passed to the 4th earl's eldest son, Archibald earl of Wigtown. By the late autumn some areas may already have been under Wigtown's control as on 2 December he confirmed a grant of lands in the lordship of Lauder to John Heriot of Trabroun.[184] The original grant had been made by Douglas in July. A similar process was underway in the new year when, on 10 January, Wigtown issued a letter ratifying his father's confirmation of Michael Ramsay as keeper of Lochmaben castle.[185] This letter of

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183 *R.M.S.*, ii, no. 12; *Liber Sancte Marie de Melros*, Bannatyne Club, 2 vols (Edinburgh, 1837), ii, no. 507.
184 *R.M.S.*, ii, no. 13.
185 *ibid.*, ii, no. 143.

indenture provides the best evidence of the handover of power and of Wigtown's authority. Wigtown informed Ramsay that Douglas,

> has grantit til us in hys absence til haf entre and usscho within the said castel als oft as it is masterful til us and to the contre; and alsua that he has ordynyt us hys stede-haldand and governour to the lordschippe of Ananderdale in hys absence ... and at we sal be to the forsaid Michel in our lordis our faderis absence gud, trew and tender lord.

By January therefore, the Earl of Wigtown had received a grant of authority in Annandale from his father which was to be fully effective during the absence of Douglas. His power as 'stede-haldand and governour' was probably extended to the majority of the family estates and Wigtown's presence at Lochmaben may indicate that he had also established personal contacts with a number of the family's vassals on a progress through southern Scotland during December and January. In early 1424 the authority in the Douglas lands was probably shared between father and son,and this may be shown by the association of Wigtown in a confirmation of Melrose Abbey's lands by the 4th earl in early February.[186]

While the Earl of Wigtown was being linked to the majority of his father's estates, the Earl of Douglas seems to have made different arrangements for Wigtown and Galloway. At the end of March 1424, following the departure of the Earl of Douglas, Margaret Stewart, his wife and the sister of James I, confirmed her husband's grant of the previous December to the priory of Whithorn in Galloway.[187] As Margaret was to administer Galloway and Wigtown throughout James I's reign, this charter would seem to show that her authority in the area began prior to the King's return and was

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186 *Melr. Lib.*, ii, no. 507.
187 *R.M.S.*, ii, no. 12.

derived from an act of her husband. The reasons for the Earl of Douglas' division of his lands are not clear. He may have been influenced by his own difficulties in maintaining effective control over his lands and offices. Prior to 1419 he seems to have delegated some local authority in Galloway to his nephew, William Douglas of Nithsdale, who was associated with the earl in several acts concerning the south-west.[188] Following Nithsdale's capture by the English in 1419, Douglas appears to have administered the area without a deputy but it may be at about this time that William Douglas of Lesswalt, a Wigtownshire landowner, became sheriff of Wigtown.[189] At the same time, theoretical authority was passed to the Master of Douglas who was made Earl of Wigtown in 1419.[190] If Lesswalt and Wigtown were therefore more natural choices for the government of Galloway, Douglas' grant of authority to his wife may have been an attempt to forestall any royal action in the area. For although the lordship of Galloway had been granted to the 4th earl's father by David II, Wigtown was extracted from its hard-pressed earl by the Black Douglases at the beginning of Robert II's reign.[191] The Earl of Douglas may have wished to avoid any royal scrutiny of the deal over Wigtown and the possible usurpation of other crown rights in the area such as the burgh-customs of Kirkcudbright.[192] It is

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188 Fraser. *Douglas*, iii, nos. 360, 382.

189 Douglas of Lesswalt was still sheriff in early 1424 (*R.M.S.*, ii, no. 12) and was probably the major vassal of the Douglases in the area. He may be the William Douglas of Angus referred to in another charter (*R.M.S.*, ii, no. 255) possibly indicating a link to the Red Douglases.

190 Unlike Eskdale, which Wigtown was running before 1424, there is no firm evidence that he was administering his earldom. However, he may be the Douglas earl of Wigtown who, reportedly, clashed with Alexander Kennedy. This would show his presence in the south-west at some point between 1408 and 1424 (Fraser, *Douglas*, iii, no. 374; *Historical and Genealogical Account of the Principal Families of the name of Kennedy, from an Original Manuscript*, ed. R. Pitcairn (Edinburgh, 1830), 5).

191 *S.P.*, viii, 523.

192 *E.R.*, vi, cx.

possible that the lands were left in Margaret's hands as a source of landed income during her husband's absence and were therefore excluded from Wigtown's control. The nature of this grant is not clear but, whether it was temporary or permanent, it was probably connected to Douglas' departure and, more importantly, to the generous provision for the King's sister. The presence of the Countess of Douglas at Wigtown at the end of March may be a significant occasion. It was the only act of the countess from Wigtown and the presence of four of the major vassals of the lordship of Galloway could point to some form of recognition of Margaret's authority taking place. Also that William Douglas was present as sheriff is proof that he was still in a position of local authority after the countess had begun to exercise her authority.[193]

Apart from his mother's role in Wigtown and Galloway, it was clearly the Earl of Wigtown who was to represent his father as the head of the family and to exercise the Black Douglas influence on the marches and in Lanarkshire and the Lothians. His career as a leader in France from 1419 may have been partly to prepare him for such a role. As well as gaining military experience Wigtown seems to have acted as the head of the sizeable Douglas contingent in the army. He was his father's deputy on the expedition and in 1424 the positions were merely reversed; Wigtown was to protect the family interests in Scotland while his father went to France.[194] At the same time, the Earl of Douglas' second son, James, who had remained in Scotland from 1419 to 1424, presumably in case Wigtown was killed in France, was,

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193 *R.M.S.*, ii, no. 12.

194 Wigtown was clearly subordinate to Buchan at Baugé and it was Buchan who was made constable by Charles VII. An example of his involvement with the Douglas affinity is, Fraser, *Douglas*, iii, no. 63. Hume of Godscroft states that Wigtown remained in 1424 because he was too sick but this hardly fits with the indenture with Ramsay of Lochmaben (*R.M.S.*, ii, no. 143; D. Hume of Godscroft, *The History of the House and Race of Douglas and Angus*, 2 vols, fourth edition (Edinburgh, 1748), i, 237).

as we have seen, associated from early on with the new expedition. James Douglas had himself been involved in the movements of his brother and father in the Douglas lands which emphasises the full 'deployment' of his close kin by the 4th earl to maintain loyalty to the Black Douglases.[195]

The councillors of the 4th earl of Douglas who remained with the Earl of Wigtown suggest that Douglas was anxious to provide his son with a body of advisers to compensate for the latter's limited contact with Scottish politics since 1419. The Earl of Douglas' confessor, John Fogo and his chancellor, William Fowlis were both to be of importance in Wigtown's dealings with the newly-returned King. Given his later career, John Cameron, who was Wigtown's secretary by December 1423 and who held a number of Douglas benefices can probably also be placed in this category.[196] Most important in the role of adviser to Wigtown was probably his uncle, James Douglas of Balvenie. He had been one of the closest adherents of his brother, the 4th earl, and during the captivity of the Earl of Douglas from 1402 onward, he was probably in charge of family affairs. He was described as 'our Lieutenant' by Robert of Albany in 1407 and probably acted as deputy to the 4th earl on the marches at various points.[197] James Douglas of Balvenie's support of his brother was the basis of his landed position. He had two groups of estates. The first was in north-eastern Scotland and was centred on the lands of Balvenie in Banffshire. Further south, Balvenie had the lands and castle of Abercorn in West Lothian and estates at Strathaven and Stonehouse in north-west Lanarkshire.[198] It was from the castle of Abercorn that Douglas of Balvenie successfully exploited the customs

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195 *R.M.S.*, ii, nos. 12, 13; Archives Nationales, J 680, no. 71.
196 *C.S.S.R.*, i, 102, 106; ii, 55-63, 92-93; *R.M.S.*, ii, no. 13.
197 *R.M.S.*, i, no. 901; *E.R.*, iv, 21, 115.
198 *R.M.S.*, ii, nos. 38, 39, 40, 43, 49.

of Linlithgow during the governorship, taking over £750 from local merchants.[199]

Although his career is interesting as evidence of his methods and ability, it was Balvenie's role as lieutenant to his brother and nephew which was of importance in the circumstances of 1423-5. An increasingly important part of this role was acting as the means of contact between the Black Douglases and the central government. Balvenie was with the Governor in the tense situation following the general council of August 1423 despite having been named in the embassy for the York negotiations.[200] The political importance of Balvenie to Albany at this time could explain his designation as 'our brother' in the commission issued for the embassy in the absence of any known marital link. Balvenie was again called 'our brother' by the duke in a charter of the following March showing that it was not an error.[201] No evidence of a marriage, real or planned, to a sister of Murdac is discernable but if a link was being discussed it would emphasise Balvenie's significance.[202] In the light of the similar role played by Doulgas of Balvenie at James I's court, it is likely that he was maintaining his family's presence in Murdac's council in the sensitive period prior to James' return.

In maintaining these close links with Albany as well as placing his family in a position to benefit from the King's trust, the Earl of Douglas would seem to have been the man whose political aims were best satisfied during the period from August 1423 to the following March. Alongside these domestic successes the earl had also sown the seeds of a major continental career as Duke of Touraine and

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199 *E.R.*, iv, 42, 113, 144, 193, 216, 244, 270, 296, 300, 301, 365.
200 *A.P.S.*, i, 227; Fraser, *Carnegies*, ii, 510.
201 Fraser, *Elphinstone*, ii, 226-28.
202 Balvenie seems to have been unmarried in 1423 though he was probably married to Beatrix Sinclair, sister of William, earl of Orkney during the following year and was certainly married to her by 1426 (*R.M.S.*, ii, no. 38).

Lieutenant of the King of France. By comparison, the prospects of Murdac, duke of Albany, his family and allies, must have seemed uncertain. The guarantees of the military resources of Mar and Buchan must have seemed an essential source of restraint on a King who, despite Murdac's switch to supporting his release, had little to be grateful to the Governor for. Even more worrying for Albany must have been the attitude of Walter Stewart of Lennox. Murdac was obviously concerned that despite apparently being subdued since his attempt to discredit his father's negotiations in October, Walter was still not reconciled to the end of the Albany governorship. During this time Walter was probably in or near the Lennox and, given the terms of the Stirling engagement, may have been hoping for French assistance in Dumbarton. If this was the case, Albany was probably worried that a clash between James and Walter was inevitable on the King's return and that he would be drawn in. Such a confrontation would rule out any possibility of the Governor sitting tight and deflecting royal attacks through his powerful connections.

It was to this political situation which the King returned in March 1424. His influence prior to that point had been, of necessity, indirect. A new phase in the course of events was to begin therefore when, at Durham in the last week of March, James assumed political control of his kingdom by sealing alone the treaty which confirmed his release.[203] At the same time James probably came into contact with a large proportion of the Scottish nobility for the first time as their ruler.

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203 *Foedera*, x, 343.

2 KING ON A LEASH? (MARCH - AUGUST 1424)

The events of the six months following the August 1423 general council make it readily apparent that James was entering a complex political situation in Scotland in late March 1424. The leaders of the Scottish nobility seem to have viewed their King and his return in an ambiguous light. He was probably seen, by a number of magnates, as a source of support and patronage to increase or maintain their existing positions. James was a figure largely untainted by political actions in his kingdom who may, as a result, have been anticipated by some as an outside arbiter with the notional authority to regulate the affairs of Scotland. However, the potentially negative effects of royal authority on their independence of action had clearly not escaped the main political actors of the Albany regime. The activities of a number of these men in tightening their links with their followings in the previous months suggest a degree of mistrust in the King and his aims even from those who had worked for his release. Such attitudes clearly made for uneasy co-operation between the crown and its major subjects especially while both established the nature and extent of the renewed royal government.[1] It is conceivable that in the first six months of James' active rule, groups of his nobles may have hoped to use the King as an ally while at the same time restricting his authority. James was forced to work against this background and make a series of political deals with men, like Albany and the Black Douglases, whose power and influence was probably at odds with the King's idea of monarchy. At the same time the King was seeking to establish a basis

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1 The contrasting experiences of James in England and the majority of his magnates would surely have led to different perceptions of the strength of central government.

of support for his rule, which would only come to full fruition after August 1424 but was being created prior to that date.

The beginning of these compromise deals and of James' search for support probably occurred during the negotiations at Durham in the last week of March 1424. Although the main purpose of these talks was to ratify the final terms of James' release and especially to conclude the truce for seven years between England and Scotland, they may also have been of significance as the first meeting of the King and a large group of his subjects.[2] James may have been at Brancepeth castle near Durham since the beginning of March and it is possible that, while he was there, he was attended by an increasingly large number of Scots. English records indicate that on their side the King was attended by 160 men led by his new wife's cousin, Richard Neville, son of the Earl of Westmoreland.[3] These men may have included the King's household servants such as Thomas Myrton and Michael Ochiltree and the size of his following suggests he was being kept in royal state. If James was holding meetings with Scots during March 1424 there are some indications of the men with whom he may have come into contact.

In December 1423 and again on 3 February 1424, the English government issued safe-conducts to fifteen groups of Scottish nobles. Both series of documents were to be valid until 30 April and were "to meet the King of Scots at Durham".[4] In total 64 nobles were named in the safe-conducts, and they were allowed to bring attendants, which could have meant over 317 Scots coming south to meet their King. Included in these safe-conducts were the main secular leaders of the Scottish political community with a number of notable exceptions. The Earls of Buchan and Douglas, who had reportedly arrived in France

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2 *Foedera*, x, 326-32.
3 *C.D.S.*, iv, no. 984.
4 *Rot. Scot.*, ii, 244; *C.D.S.*, iv, no. 942.

by 7 March and who had been preparing to leave Scotland since late October, were naturally not included in the safe-conduct.[5] That the Duke of Albany and Alexander, earl of Mar did not seek safe-conducts to go to Durham may also have been on the grounds of political sensitivity.[6] As he was still the Governor, Murdac may have felt it was inappropriate for him to enter England for talks, as it could set a precedent for subsequent Scottish rulers. In this light it is significant that the duke's son, Alexander Stewart of Kinclaven, was granted a safe-conduct to go to Durham. Alexander was closely associated with his father and may have been sent to meet the King as Albany's representative. That Sir John Wemyss of Reras was named on the same warrant as Alexander would indicate that this Fife supporter of the Albany Stewarts was being sent in the company of Alexander. A similarly tentative method of making contact with James may have been employed by Walter Stewart. With his record of the last six months, it is not surprising that Walter Stewart did not receive a safe-conduct to go to Durham. Walter's grandfather and close political associate, Duncan earl of Lennox, did however and may, like Alexander for Albany, have acted as advocate for his grandson. However the absence of any other Lennox supporters of Walter amongst those with license to go south makes it likely that he was sitting tight in the west of Scotland with his local backers, like William Graham, possibly as a means of guaranteeing the safety of Earl Duncan. That none of the main Albany Stewarts, Murdac, Walter or Buchan, were at Durham must be seen as limiting the importance of any meeting between the King and their representatives at this point.

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5 *Liber Pluscardensis*, X, Ch. xxviii. The date is given as Shrove Tuesday.

6 Mar's absence could be explained by his piracy in the North Sea against English vessels. It is also interesting that the earl's associate, Patrick Ogilvy of Auchterhouse, did not receive a safe-conduct either.

However it is quite likely that much of the rest of the Scottish political community was at Durham to establish contact with the King. Eight earls received safe-conducts to attend the negotiations, and, as five of these had been named as hostages for the King's ransom in December 1423, it seems reasonable to assume their presence.[7] Of the other three earls, Orkney and Wigtown were, as we will see, closely associated with James in the subsequent months and Wigtown was probably involved in the King's political dealings at Durham. The possible role of the other earl, Duncan of Lennox, has already been mentioned and it is conceivable, therefore, that all the earls granted safe-conducts actually attended the King during the final negotiations. That a wide cross-section of Scottish nobles met their new ruler at Durham may also be suggested by the changes made in the ranks of the men chosen to remain in England as hostages for the ransom. More importantly, these changes could also reveal the early political attitudes of the King.

The changes were made to the list of hostages presented by the Scottish negotiators in the London discussions which were concluded in early December. As all these hostages were named in the safe-conducts issued in February whereas only some of the men who were to replace them had received such warrants, this would seem to suggest that changes in the hostages sent were only made after February.[8] That three nobles only issued letters patent designating their heirs as hostages on 28 March would seem to indicate that the list of men to be left as sureties was only finalised in the Durham talks.[9] This timing would certainly allow James to have been involved in negotiating the alterations in the list. The effect of the changes was to free nine of the men named in the December list from the

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7 *Rot. Scot.*, ii, 241-43.
8 *ibid.*; *C.D.S.*, iv, nos. 952, 942.
9 *ibid.*, iv, nos. 947, 948, 950, 954.

obligation of personal attendance. The absence of these men reduced the number of earls to be sent from five to two and probably as a result, the English demanded hostages of greater number and value. Thus, instead of twenty-one hostages worth a total of 16,500 marks, the Durham terms included twenty-seven worth 17,400 marks in total value.[10] Thus in strictly financial terms this was a disadvantageous swap for the Scots.

It is possible that the English simply decided on an increased level of surety for the ransom when negotiations re-commenced at Durham in March. They may have linked them to the only partially satisfactory truce terms which they were forced to accept. However, if this was the case then it is not likely that the English would have wanted the larger but less influential body of hostages which they received. The absence of several earls and politically active lords from the final hostage-list did not increase the diplomatic hold of the English government over James. If the alterations made in the ranks of the hostages were not for the benefit of England, they may have been forced upon both sides in the negotiations by the refusal of a number of those chosen to appear at Durham. That several earls escaped going to England as hostages could show that the absentees were those with sufficient strength or connections to defy the summons. It has been suggested that the arrest of Malcolm Fleming of Biggar by the King in May 1424 was evidence of this.[11] James was supposedly punishing Fleming for his failure to act as a hostage as ordered in the December negotiations. While other reasons for Fleming's release and subsequent arrest will be discussed later, it seems strange that if all those who evaded hostage service did so

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10 The earls named as hostages in December were Crawford, Moray, Angus, March, and Strathearn, of whom the last three were released from their obligation.
11 *Scotichronicon*, XVI, Ch. 9, l. 2.

against the King's will, they escaped the same punishment. The indications of royal trust in a number of these men hardly tally with the idea of James taking hostile action against men who let him down at Durham.

The real reason for the changes in the ranks of the hostages made at Durham seems to lie in the political background of the list drawn up before December.[12] Although only presented to the English in the second round of talks at London, the identity of the hostages was presumably decided well beforehand, perhaps as early as the meeting of Murdac and Bishop Lauder at Perth in October. The method of drawing up such a list is unknown but was presumably based on the general obligation of a vassal to act as surety for the ransom of his lord. While the principal importance of a particular hostage was in the monetary value he represented as security for the ransom, certain political patterns are discernible. For instance, no member of the Albany Stewart, Black Douglas or Mar Stewart families were named as hostages despite their landed wealth. It is also interesting that, from the south and south-east of Scotland, the Earls of March and Angus and their respective supporters, Walter Haliburton of Dirleton and Thomas Hay of Yester were nominated. As has been mentioned these men may have been increasingly resentful of Douglas domination of the marches. Similarly, Alexander Seton of Gordon and Thomas, earl of Moray, neither of whom was particularly close to Mar, were sent as hostages from the north-east. This suggests a degree of input from the two locally predominant magnates of north and south, Mar and Douglas. Such bias should not be exaggerated however and a certain political balance was obtained in the December list. The list contained adherents, if not close kin, of Douglas, like John Seton and Douglas of Dalkeith, and of Murdac, especially in the shape of

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12 *Rot. Scot.*, ii, 242.

the Earl of Crawford. Also included were political contacts of Walter Stewart, though, significantly, not from the Lennox. Into this category may fall Walter's erstwhile father-in-law, Robert Erskine, and the Earl of Lennox's neighbour, Duncan Campbell of Lochawe.[13] Whether Boyd of Kilmarnock or Fleming of Biggar, whose families were later to be implicated with Walter, were part of the same group is not clear.

Evidence of both bias and balance in the initial choice of hostages indicates that political factors were part of the process. It is equally likely that the changes made at Durham were politically inspired and that they represent the intervention of the King who took the lead in the negotiations there. That two of the men who were released from the obligation to appear as hostages were James' nephews, William, earl of Angus and John Kennedy of Carrick, bears this out. Both men were sons of the King's sister Mary by her first and second marriages and, as these marriages were apparently accompanied by political deals between Robert III and Mary's husbands, it is possible that James was relying on both ties of blood and those families consciously favoured by his father.[14] The King seems also to have wished to prevent the removal of men who would represent a block on Douglas' authority in the south and, as will be discussed, the ramifications of this may have been a major part of James' political dealings at Durham. In general, it must be

significant that of those released from hostage-service, March,

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13 As well as going to Durham on the same safe-conduct, Campbell and Lennox had links of kinship and landholding. Lennox was married to Ellen Campbell, presumably a kinswoman of Duncan of Lochawe and a number of other Campbells held lands in the earldom of Lennox. Duncan Campbell also appears to have been an associate of Walter Stewart, his nephew by marriage, and his political ties were probably with the Lennox which bordered his own lands (*C.D.S.*, iv, no. 942; *Lenn. Cart.*, 64-66; *S.P.*, i, 327-31).

14 Mary's husbands were George, earl of Angus and James Kennedy. For the political deals which accompanied the marriages see, Fraser, *Douglas*, iii, nos. 42-46; *R.M.S.*, i, app. ii, nos. 1952, 1953.

Angus, Montgomery of Ardrossan, Fleming of Biggar, Seton and Hay of Yester were all to play a part in the subsequent crisis. The only two who do not appear were Kennedy and Malise Graham, earl of Strathearn both of whom were under-age.[15] This would suggest that the changes in the proposed hostage list were of men who were active in the affairs of the kingdom and whom James wanted in Scotland.[16]

The political balance of the south of Scotland was clearly an important factor in James' decisions concerning the hostages. It is possible that the major figures involved were with the King before the final negotiations at Durham and that James' involvement in their affairs provided the impetus for his interference with the hostage-list. The changes in this list which concerned southern Scotland may have provided part of a compromise settlement which the King formulated in the area. It is certainly likely that, as designated hostages, the Earls of March and Angus were at Durham with their supporters during March 1424. They may have taken the opportunity to establish personal contact with the King and to complain about the manipulation of the choice of hostages from the south by the Black Douglases. March and Angus may also have had more general grievances about the political situation in the same area, which since 1400 had been dominated by the Earl of Douglas and his supporters at the expense of their neighbours.

George Dunbar, 11th earl of March, had special reason to resent the dominance of the 4th earl of Douglas in the east march of Scotland. The Dunbars had not recovered from Douglas' administration

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15 This may have been an additional reason why they were not sent as hostages.

16 The men who replaced the eight released from service as hostages were William Abernethy, James Dunbar of Frendraught, James Hamilton of Cadzow, James Sandilands of Calder, William Oliphant of Aberdalgie, Andrew Gray, Robert Livingston, John Lindsay, Robert Lisle, William Ruthven, George Campbell, Robert Maitland, David Menzies and David Ogilvy (*C.D.S.*, iv, no. 942).

of the majority of their estates in the area following the forfeiture of the 10th earl of March in 1400.[17] Even though the Dunbar family was restored in 1409, the influence of Douglas continued to dominate Berwickshire through the local connections he had built up.[18] In addition to the attendance on Douglas of Dunbar vassals like Adam Hepburn of Hailes and William Sinclair of Hermiston, the 4th earl built up two families as his chief agents in the area.[19] The Swintons and the Humes both received grants of land from Douglas in the earldom of March, creating more vassals of the Dunbars whose ties were primarily with the Earl of Douglas.[20] That both John Swinton and Alexander Hume, the heads of the two families, were to go to France with Douglas in 1424 is an indication of this fundamental attachment to the 4th earl.[21] At the same time, despite receiving back their own lands, the Dunbars failed to recover control of the major local offices, the positions of bailie of Coldingham Priory and warden of the east march.[22] The Earl of Douglas had been in control

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17 It was the future 4th earl of Douglas who seized Dunbar castle from March's keeper and who led the local forcees against the attempts of the Dunbar family to recover their lands with English help (*Scotichronicon*, XV, Ch. 10, 13-14). The 4th earl also received the lordship of Dunbar from 1400 to 1409 (S.R.O., GD 12/23).

18 *Scotichronicon*, XV, Ch. 21, l. 15-26.

19 A. Grant, 'The Higher Nobility in Scotland and their Estates' (unpublished D. Phil thesis, University of Oxford, 1975), 336.

20 S.R.O., GD 12/18; GD 12/23; Fraser, *Douglas*, iii, nos. 343, 345; *H.M.C.*, Milne-Hume, nos. 1,2. Swinton received lands in the earldom of March at Petcox in East Lothian and Cranshaws in the Lammermuirs in October 1401, a grant confirmed to his son in 1407. The grants from the 4th earl to Alexander Hume's younger brother, David, of the former Dunbar lands of Wedderburn and Bayherdlands in 1413 and 1415 were also the result of alienations from the Earls of March.

21 Hume, *Douglas and Angus*, 239-40; *Scotichronicon*, XV, Ch. 35, l. 17-18.

22 March was never referred to as the bailie but was certainly the main local patron of Coldingham and held the lands of Aldcambus, the traditional tack of the office (*Registrum de Dunfermlyn*, Bannatyne Club (Edinburgh, 1842), 272-73). He was also involved in the defence of Durham's claims to the priory in the 1380s and 1390s (A.L. Brown, "The Priory of Coldingham in the Late Fourteenth Century", *Innes Review*, xxiii (1972), 91-101). The 10th Earl of March was warden of the east march until at least 1398 and probably up to the date of his forfeiture (*C.D.S.*, iv, no. 510).

of Coldingham's lands from at least 1406 and in 1414 was confirmed as bailie with Alexander Hume as his deputy and local representative.[23] Similarly, Douglas was warden of the east march by 1407 and his use of the title of 'Great Guardian of the Marches' in 1420 and 1423 suggests that he had entrenched his authority further during the governorship.[24] Thus, although the 10th earl of March probably disliked his rival's power, he lacked even the local influence in Berwickshire to challenge the Black Douglas hegemony in the south.[25] By 1424 however, his son may have recognised the opportunity to recover some ground with the departure of Douglas and his main local confederates to France. This is suggested by the arrangement made by George, 11th earl of March with John Swinton of that ilk on 28 February 1424.[26] The instrument involved seems to have been the resolution of a dispute between the two men over the lands of Cranshaws in the Lammermuirs, part of those granted to Swinton during the Dunbars' exile. The earl acknowledges Swinton's hold on the lands as his tenant in return for the marriage of Swinton to his daughter Marjory. For John Swinton this cleared up a potential source of trouble with his overlord prior to his departure for France, but for George Dunbar it also represented the establishment of a link with one of Douglas' supporters. Douglas' anxiety to have March out of the country during his own absence and March's approach to the King at Durham may reflect the fact that both appreciated the possibilities for change in south-eastern Scotland.

The prospects of William Douglas, 2nd earl of Angus, were more fluid and less geographically fixed than those of March, but, like

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23 Fraser, *Douglas*, iii, no. 298; *Cold. Corr.*, nos. XCVIII, XCIX.
24 Fraser, *Douglas*, iii, no. 349; *C.S.S.R.*, i, 142; Archives Nationales, J 680, no. 71.
25 The 10th earl of March certainly opposed Douglas' appointment as bailie of Coldingham, which, he told the monks, was made "agayn my will" (*Cold. Corr.*, no. CII).
26 S.R.O., GD 12/20.

March, he had fared badly under the Albany Governors. William was only a young child when his father, George, died in an English prison and, during his long minority, the 2nd earl lost the extensive claims to a large part of the Douglas family lands which had been established for Earl George.[27] These lands were held by Isabella, countess of Mar, and included the border estates of Liddesdale, Jedworth Forest, Buittle, Drumlanrig and Cavers as well as the office of sheriff of Roxburgh and lord of Selkirk town.[28] There were also estates in Mar itself and elsewhere which, with these southern holdings, would pass to the Red Douglas earls of Angus on Countess Isabella's death. However, by the time this happened, in 1408, the 2nd earl was in no position to press his family's claims. As a result, only the lordships of Liddesdale and possibly Jedworth Forest actually came into William's hands from the lands promised to his father.[29] It is interesting that of the other southern estates claimed by the Red Douglases, Buittle was granted by the 4th earl of Douglas to Douglas of Dalkeith whilst, after a dispute, Cavers was inherited by Archibald, a bastard son of the 2nd earl of Douglas. Archibald's brother, William Douglas had already received a grant of Drumlanrig before 1388 and he was able to retain possession of the lands.[30] This settlement could conceivably have been arrived at through the connivance of the Black Douglases, anxious to prevent the

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27 These claims were based on George being the bastard of the 1st earl of Douglas and therefore a claimant to the family lands on the death of his half-brother at Otterburn in 1388. He already held the actual earldom of Angus, the baronies of Abernethy in Perthshire and Bunkle in Berwickshire and other rights from his mother, Margaret Stewart, countess of Angus.

28 Fraser, *Douglas*, iii, nos. 42, 43, 44, 45, 46, 49.

29 *ibid.*, iii, no. 54. Angus held Jedworth Forest during the 1430s and there is no indication of another occupant (*H.M.C.*, Milne-Hume, nos. 5, 6). Selkirk town was clearly claimed by Angus but was in possession of Douglas of Drumlanrig by 1412 (Fraser, *Douglas*, iii, no. 53; *H.M.C.*, XV, app. 8, no. 4).

30 Fraser, *Douglas*, i, 305, 320; *R.M.S.*, i, no. 156.

creation of a rival power in the marches.[31] Thus, by 1424, William earl of Angus may have been on poor terms with his cousins although he seems to have accepted the loss of the above estates.[32] The likelihood that, on attaining his majority in about 1418-20, Angus began building up his local influence in the middle march and was creating trouble in that area for the Earl of Douglas reinforces this view.[33] Angus was subsequently to focus his ambition on the south of Scotland.[34]

In the circumstances of March 1424, therefore, both men had a great deal to gain from the return of James. Neither Angus nor March had reason to be politically committed to the Albany Stewarts or the Black Douglases and probably hoped that the King's establishment of control over the central government, following the departure of the 4th earl, would result in a major change in the balance of power in southern Scotland. There may also have been existing links which encouraged the earls to see the King in this light. George Dunbar was one of those who received a safe-conduct in February and May 1423 'at the repeated instance' of the King and was on the embassy commissioned by the August general council.[35] Whether or not the earl actually went to England on any of these occasions, the documents suggest his connection to the cause of the King's release,

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31 Alexander, earl of Mar may also have been concerned in such a dispute. It was following his creation as earl that Countess Isabella granted Cavers to Archibald Douglas. He may have wished to block the Red Douglases' claim to a terce of the earldom of Mar (*R.M.S.*, i, no. 156).

32 Angus appears to have been in contact with Douglas of Cavers who held the office of sheriff of Roxburgh as well as the Cavers lands which the earl claimed (*R.M.S.*, ii, no. 195).

33 *R.M.S.*, ii, no. 1550; *Laing Chrs*, no. 98; Fraser, *Douglas*, iii, no. 378; *C.S.S.R.*, i, 278.

34 Earl William did maintain significant connections in Angus and Perthshire however. These were based on his lordship of Kirriemuir and barony of Abernethy and he included amongst his kin and tenants members of the Forbes and Ogilvy families whose local influence has been discussed (Fraser, *Douglas*, iii, nos. 378, 381; *R.M.S.*, *ii*, no. 1550)

35 *Rot. Scot.*, ii, 234, 237; *A.P.S.*, i, 589.

possibly through his ties to the Lauders. The Lauder family held estates in Berwickshire at Edrington and at North Berwick in East Lothian and were therefore neighbours if not vassals of March.[36] Moreover, the lord of these lands, Sir Robert Lauder of Edrington and Bass was named on the same safe-conduct as Earl George for the visit to Durham, perhaps indicating that the men intended to travel together to attend the King. James had also recently done March a service in arranging the release of David and Nicholas Dunbar, the earl's full and half brothers, and of another kinsman, John Heryng. These men had been prisoners in England since 1421.[37] Angus' connections with James as his nephew and the son of an ally of Robert III have already been mentioned but must have been important to the earl as well as the King.

While the King would clearly have been anxious to obtain the support of these two men if it was possible, he was probably aware that he could not afford to offend the Black Douglases, who had worked for his release and commanded such authority in the Kingdom. An attempt to reduce the power of the Douglases drastically before he had even re-entered Scotland would have been suicidal for James, who, as we shall see, was heavily dependent on the family. The result of this seems to have been a compromise agreement. Firstly neither Angus nor March was sent as a hostage and Angus' brother-in-law, Thomas Hay was also allowed to return to Scotland. In return, the King also removed John Seton, a notable Douglas councillor, from the list of hostages. In addition, it is possible that the King changed his march-wardens while he was at Durham. The situation at this point is, in any case, unclear. The 4th earl of Douglas, "the Great Guardian", presumably handed over control of the marches in some kind

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36 *R.M.S.*, ii, no. 29. It would also make Lauder of Bass a neighbour of Angus at Tantallon.
37 Balfour-Melville, *James I*, 101-102.

of grant to his son, the Earl of Wigtown, prior to his own departure.[38] If this was the case, then the situation had clearly changed by 1 May 1424 when Wigtown described himself as warden of the west and middle marches.[39] This end to total Douglas control of the border, combined with the appointment of George Dunbar, earl of march as a conservator of the truce agreed at Durham, makes it possible that March was made warden of the east march as a part of the settlement.[40] While at Durham the King may also have given Dunbar the pardon for his actions which the earl was later to produce.[41] The precise form of this pardon is not clear and it was to be circumvented by the King, but in 1424 it probably encouraged Earl George to trust the new ruler of Scotland as a man who could revive the Dunbar family fortunes. In the short-term, William, earl of Angus seems to have benefitted less tangibly than March from the settlement, but it is reasonable to see the origins of the close contact which developed between the earl and his uncle in their meeting at Durham. The first sign of Earl William's proximity to the King may be from June 1424 when a charter of Angus was witnessed by Bishop Lauder, the chancellor, and a number of other men close to James.[42] That the charter granted lands to Alexander Forbes, as part of his marriage settlement with Angus' sister Elizabeth, is another indication that the earl was linked with other royal supporters. This marriage was clearly intended and possibly celebrated before the King's return which probably indicates that both men saw the

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38 This can be compared with the grant of the governorship of Annandale to Wigtown (*R.M.S.*, ii, no. 143).
39 Fraser, *Douglas*, iii, no. 63.
40 *C.D.S.*, iv, no. 949. The other conservators of the truce were Albany, Atholl, Mar, Wigtown, Hay the constable, Seton, Somerville, Douglas of Dalkeith, and John Forrester. It seems unlikely that any of these possessed the local influence to take over the east march from the Black Douglases.
41 *Scotichronicon*, XVI, Ch. 24, l. 31-34.
42 S.R.O., GD 121/3/55.

advantages the alliance presented as regards their relations with James.

Even the Earl of Wigtown, another of James' nephews, may not have been unhappy about the results of his family's first encounter with the new King. In the light of his father's strenuous efforts to avoid James, it was a meeting that Wigtown was probably not anticipating with much pleasure. Although he had been made to relinquish the wardenship of the east march, he apparently received confirmation of his position in the other two and perhaps also of his dubious right to the title of Earl of Wigtown.[43] This probably guaranteed the family's influence in much of the area of their dominance and, given the absence of Douglas and his main Berwickshire contacts, Wigtown may have lacked the ability to control the east march anyway. He could have wished simply to avoid entanglement in the area especially as the events at Durham suggested that the King might be concerned in the affairs of Berwickshire. This concern was based on the request of the Prior of Durham that James support Durham's claim to the priory of Coldingham and the return of the prior, William Drax, to Scotland.[44] The request probably took place at the Durham talks and although Douglas and the Humes remained in control of the lands of the priory, Wigtown does not appear to have

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43 There is no evidence of a formal grant of the title and it was not used by the Black Douglases from their takeover of the earldom until at least 1406 and therefore lacked any royal sanction. It was also not used after August 1424.

44 Drax had been expelled from the priory in 1419, following a fire which, it was claimed, he had started deliberately (*Scotichronicon*, XV, Ch. 32, l. 1-9). This expulsion was the latest stage in the dispute over the control of the priory between Durham and Dunfermline Abbey. The anxiety of Prior John Wessington to take the opportunity presented by James' presence to win the support of the King must have been increased by the knowledge of Robert II and Robert III's hostility to the English monks at Coldingham in the 1380s and 1390s. At the parliament of May 1424 James returned the priory to Drax and Durham (*A.P.S.*, ii, 25).

been involved locally during the first six months of the reign.[45] It was probably most important for Wigtown and his kinsmen that the contacts established with James by the 4th earl were brought to fruition on his return. The grant to William Fowlis of the vicarage of Edinburgh confirmed at the end of March probably indicates that this was achieved and that the reliance of James on Douglas support in the opening part of his reign was negotiated at Durham as part of the discussion there.[46]

The apparently good relations between James and all three of these major southern magnates in the rest of 1424 and 1425 suggest that the King had satisfied their political aims at Durham. By removing the Douglases from their monopoly of military and administrative authority in the borders and restoring March to his family's traditional role in the east, James had altered the local situation to the advantage of the crown without offending local opinion. In establishing friendly ties to the Earls of March and Angus, the King had begun the search for a body of support which was not bound up with the major figures of the previous regime. Given the circumstances of 1424, with James forced to deal with the apparently untouchable local influence of Albany, Mar, and Douglas, the successful recruitment of men like Angus and March was essential for the King's survival as a political force. The search for this support, begun at Durham, provides a recurring theme in the early part of the reign.

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45 David Hume, lord of Wedderburn was acting as bailie "in the honourable absence of lord Archibald, earl of Douglas, our principal bailie, and Alexander Hume, our sub-bailie" on 16 July 1424. It is not clear whether Wigtown had any links with his father's tenants in Berwickshire in the summer of 1424 (*Cold. Corr.*, no CIX).

46 *C.S.S.R.*, ii, 55, 63; *C.P.R. Letters*, vii, 360. The benefice was later witheld from Fowlis due to the counter-claims of Edward Lauder but this does not detract from the value of the grant as evidence of royal favour towards Fowlis.

The King may well have made other political contacts at Durham which were subsequently to be of importance to him and almost certainly renewed his acquaintance with men like Forrester, Forbes and Walter Ogilvy who had been in touch with him during his captivity. After concluding the negotiations, James seems to have left for Scotland immediately with those Scots, minus the hostages, who had been with him at Durham and a sizeable English escort led by the Earl and Sheriff of Northumberland.[47]

It is interesting that James' route took him to Melrose rather than up the coast.[48] He may simply have seen the abbey as a suitable site from which to confirm the Durham treaties, but the choice of Melrose may also provide another indication of James' links with the Douglases. The 4th earl was "special protector and defender" of the abbey and Melrose was definitely a centre of his family's influence.[49] If the King's stop in the town was to do more than just issue the promised confirmation of the negotiations the Douglas link may have been of significance. James' visit to Melrose was possibly the occasion of his initial meeting with the Governor and of the formal handover of authority from Murdac to the King. This is suggested by the fact that the great seal "of the most serene prince, the lord Duke of Albany, Governor of Scotland", was used to seal the confirmation and that the King stated that he had lately received the seal.[50] It is possible that James had received the great seal of the Governor from Bishop Lauder, the chancellor, but Murdac was certainly using a seal of office in early March 1424 and it may have been this which was handed over.[51] In any case, it would be surprising if the Governor's great seal was surrendered to the King in the former's

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47 *Rot. Scot.*, ii, 247.
48 *Foedera*, x, 343.
49 *C.S.S.R.*, i, 106.
50 *Foedera*, x, 343.
51 Fraser, *Elphinstone*, ii, 226-28.

absence as such an act must have been viewed as the end of Murdac's tenure of office. It is plausible to think that, although he did not go to Durham, Murdac met the King immediately on his return to Scotland to relinquish his authority. Given the role of the Black Douglases in bringing about James' return, it may be symbolic that this meeting occurred in the area of their influence.

As well as being the occasion of the transfer of power, the meeting of James and Duke Murdac was clearly important for the re-establishment of personal contact between the two men. Like the Earl of Wigtown at Durham, Albany must have been anxious to establish good relations. He may have hoped that a swift handover of authority to the King would help this. It would certainly fit in with the Duke's consciously favourable attitude to James' return since August 1423. Murdac could have been at Melrose for some time as a base close to the Durham talks from which to receive intelligence of the King's actions there.[52] The King's reception of Alexander of Kinclaven and the roles played by Forbes and Walter Ogilvy, whom Albany had patronised in the previous months, in smoothing over tensions between James and Murdac, are not clear. However, if Murdac was prepared to meet the King at once and away from the areas of his and his allies' influence, this does suggest that he was confident of a relatively easy reunion with his cousin.

It is possible, though, that the speed with which Murdac surrendered his office to the King may also be an indication of the problems which the Governor was facing in the spring of 1424. The actual return of James to Scotland probably threatened Albany with greater troubles. The actions of Walter Stewart of Lennox since August 1423 had shown him to be opposed to the end of the Governorship and it was probably feared that the King's presence

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52 *ibid.*

would provoke Walter into further demonstrations of hostility. If this was perceived by Murdac as a real threat then he would have been more anxious to make clear his loyalty to James and his support of renewed royal government at the first opportunity. That the behaviour of Walter was high on the political agenda at this point is suggested by Buchanan's account:

> A great concourse of all ranks assembled to see the King, but scarcely had they paid him their congratulations on his return when he was assailed by numbers, who had complained loudly of the injuries suffered since the death of the late King, partly through the negligence, and partly through the fault of the Governors, and they particularly accused Walter, the son of Murdo, Malcolm Fleming and Thomas Boyd, who, to please the people, were, for the present committed into places of confinement.[53]

This graphic account of the King being assailed by petitioners was in all probability a compressed explanation by Buchanan of the first six weeks of the reign and cannot be seen as proof of James' first encounter with the Scottish political community on home soil. However, Buchanan may be correct in believing that the celebrations for James' return were overshadowed by expectations of decisive action in the uncertain political climate. A meeting with Murdac at Melrose may have convinced James of the advisability of dealing with Walter immediately. Given the evidence of conflict between Walter and his father since 1421, it would hardly be surprising if Murdac had led the complaints against his heir and offered the King his backing should a clash occur. The role of Alexander Stewart of Kinclaven in this process, both at Durham and at Melrose, may also have been important. Alexander may have harboured the ambition of

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53 Buchanan, *History of Scotland*, ii, Bk X, 84-85.

receiving a larger share of his father's estates should Walter be disgraced and could have seen a chance of this in inspiring joint action against his brother by Murdac and James. That the clash with Walter took place before James' coronation suggests, however, that there was a real urgency behind the talks of Albany and the King, showing their disquiet about Walter's actions.

If the decision to oppose Walter was taken at Melrose in early April, there is limited evidence of the effects of that decision in the next month. Perhaps because he had not been crowned, James seems to have undertaken very little public business. He must have summoned parliament to meet on 26 May at Perth and probably also to attend his coronation on 21 May at neighbouring Scone.[54] The 40 days required to call a formal parliament, a body which had not met since 1400, probably explains the six week delay from James' return to his coronation.[55] The combination of a parliament with the ceremony at Scone would emphasise the return to royal government as both occasions were exclusively part of the King's powers. Allowing a minimum of 40 days would mean that James summoned the estates before 17 April, over a week after he had been at Melrose and perhaps the point at which the King was established in Edinburgh. According to Balfour-Melville, James was at Edinburgh on 3 May 1424 to confirm the trading position of Scotland with the ruler of Holland and Zeeland.[56] That this treaty had been negotiated in the previous August by Duke Murdac may indicate that, during this period, the King was being acquainted by his predecessor in the pressing concerns of foreign and domestic government.[57] If the King was at Edinburgh on 3 May, he was

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54 *A.P.S.*, ii, 3; *Scotichronicon*, XVI, Ch. 2, l. 16-17.
55 *A.P.S.*, i, 213; S.R.O., GD 12/40; *E.R.*, vi, 55.
56 Balfour-Melville, *James I*, App. C, 285; M.P. Rooseboom, *The Scottish Staple in the Netherlands*, (The Hague, 1910), 15. No location is given in Rooseboom for the treaty but Balfour-Melville states it was sealed by James at Edinburgh.
57 M.P. Rooseboom, *The Scottish Staple in the Netherlands*, 15, xxiv.

almost certainly in the company of the Earl of Wigtown as well. Wigtown was conducting business in the town two days earlier.[58] It is possible therefore, that, in early May at least, the King was accompanied by the heads of the two major Scottish magnate houses. That there is little other indication of the activities of the main political figures during April and early May could be a sign that, as in September 1423, the nobility was awaiting events in the wake of James' return.

It is likely, however, that the King was continuing to look for support for his own position in this apparent lull. If he had spent most of his time since returning in Edinburgh and was still there on 3 May, shortly after that date he went north to Perth where he met his uncle, Walter Stewart, earl of Atholl and Caithness.[59] As he had done with March and Angus, James was probably trying to establish a close relationship with Earl Walter who, as the last surviving legitimate son of Robert II, may have occupied a position of seniority within the Stewart kin. Moreover, Atholl's behaviour in 1423 suggest that, as in the majority of his career, he was keeping his political options open in the search for personal advantage.

This is clear from Earl Walter's relationship with Duke Murdac. Atholl attended the meeting of the Stewart earls with the Governor at Perth in October 1423.[60] This would seem to suggest that the Duke regarded his uncle as a supporter to be involved in his 'league' with Mar, Crawford and Buchan and perhaps, like them, a member of the group politically tied to the Albany Governorship. Certainly Atholl's major lands and local power-base came from Duke Robert who granted his younger brother the earldom of Atholl and the lordship of

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58 Fraser, *Douglas*, iii, no. 63.
59 N.L.S., ADV., 34.6.24, 82r.
60 *A.B.Ill*, iv, 386; S.R.O., GD 52/401; S.R.O., GD 16/13/2-4.

Methven in Perthshire.[61] Both estates had come into Robert's hands following the death of the Duke of Rothesay and, whether as a reward for services or a bribe for future support, the grant of these lands implicated Atholl in the affair.[62] Albany's patronage certainly seems to have made Atholl accept his brother's increased power after 1406 and that he was also to benefit from the return of the Dunbars and the exchanges of lands which accompanied it suggests a close link with his elder brother's rule.[63] Murdac may have hoped that, like Buchan, Atholl would be concerned about the security of his lands, received in such a dubious fashion, once the King returned and that these worries would lead Earl Walter into joining Albany and the others.

Atholl, however, clearly did not join the aristocratic clique being assembled by Albany and conceivably had already begun to form connections to deal with the change of regime independently. In February 1423 a papal dispensation was granted for Archibald Douglas, earl of Wigtown, to marry Euphemia Graham.[64] Euphemia was the sister of the under-age Earl of Strathearn who was subject to the tuition of his great-uncle, Walter, earl of Atholl.[65] It is probable that Euphemia was also a ward of Atholl, especially as her mother may have remarried. The marriage formed a link between the man who, in February 1423, was already being prepared to run the Black Douglas estates and the closest marriageable kinswoman of Earl Walter. As such it was clearly a politically important band, especially as it occurred in the aftermath of the English decision to negotiate James'

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61 *R.M.S.*, i, App ii, nos. 1765, 1766.
62 *Scotichronicon*, XVI, Ch. 27, l. 24-26; *A.P.S.*, i, 210.
63 *R.M.S.*, i, no. 910. For Atholl as a witness to charters of Robert, duke of Albany (*R.M.S.*, i, nos. 883-85, 905, 941).
64 *C.S.S.R.*, iii, 270.
65 This protection had been established in 1414-5 and was still in effect in 1424 (W. Drummond, Viscount Strathallan, *The Genealogie of the Noble and Ancient House of Drummond* (Edinburgh, 1831), 44-45, Fraser, *Menteith* ii, no. 56).

release. That Atholl was creating ties with the Black Douglases could explain his reluctance to attach himself closely to Murdac in the autumn of 1423.

Atholl does not appear to have been closely connected to the Black Douglases in 1424 despite the marriage alliance. As in his relations with Murdac, he may have been aiming to maintain links with the Douglases without being bound to their actions. We need not anticipate Earl Walter's posthumous reputation as the "old serpent" of Scottish politics, deviously exploiting every major change in the affairs of the kingdom, to understand that he may have recognised that independence from either the Albany or the Douglas camp held the best chances of profit in the circumstances of 1424.[66] Like March and Angus in the south, Atholl may have foreseen that James' return could provide him with support in the Perthshire area of his influence.

Such local ambitions may also have been the reason why Atholl was hardly sympathetic to the Albany governorship in 1423-4. Earl Walter's major rivals in Perthshire were the Dukes of Albany who were in control of a number of lands in the west of the sheriffdom as well as the earldom of Menteith on its southern boundary. The influence and connections of the Albany Stewarts as Governors must have placed restrictions on Atholl's position and, despite the fact that it was Duke Robert's patronage which provided Walter's landed base in the area, there are signs of local friction in Perthshire during the second decade of the governorship. This friction chiefly took place over the earldom of Strathearn which was a consistent object of Atholl's ambition. The nature and circumstances of the clash over Strathearn will be considered more fully in relation to the aftermath of the Albany forfeiture in Perthshire. However, that, following the

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66 *Liber Pluscardensis*, XI, Ch. ix.

murder of the previous earl, Patrick Graham, himself a supporter of Albany, it took two years before Atholl was recognised as tutor of the new earl suggests that divisions had occurred over the future of the area.[67] Duke Robert's own attitude was probably revealed by the fact that successive marriage dispensations had been sought for his grandsons, Robert of Fife and Walter of Lennox, to marry the earl's mother and legal heiress of Strathearn, Countess Euphemia.[68] It would seem likely therefore that in 1424 Atholl would welcome James' return if it resulted in a reduction in Albany's authority and if the earl could, in some way, establish himself as the King's trusted ally in Perthshire.

In the light of this, it is interesting that Earl Walter stayed away from Durham, simply dispatching his son and heir, David, to go south as a hostage.[69] That David was not released from this obligation may suggest that the King did not see Atholl as a close ally at that point though there was no question of the earl's own departure. Earl Walter was at his chief residence, Methven castle, on 28 March and as he met the King at Perth on 9 May, it is possible that he remained in the Perth area throughout.[70] If this was the case, it may be indicative of the King's attitude that he made the effort to meet his uncle on his own ground. James perhaps recognised the advantages of gaining the backing of Walter's landed weight and his unrivalled political experience which stretched back to the 1370s at least. The outcome of James' meeting with Atholl was that the latter received "the fruits but not the title of the earldom of Strathearn" in a grant of unspecified duration under the great

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67 In the meantime authority had been exercised by countess Euphemia (S.R.O., GD 198/223; W. Fraser, ed., *The Stirlings of Keir* (Edinburgh, 1858), no. 10).
68 *C.P.R. Petitions*, i, 602; *S.P.* viii, 260.
69 He was, however, of sufficient political standing to be named as a conservator of the truce (*C.D.S.*, iv, no. 949).
70 *C.D.S.*, iv, no. 950.

seal.[71] As the earl had been in control of Strathearn since 1416 as Malise's tutor, the grant did not alter the landed position. It must, however, have given Atholl a personal hold on the lands separate from Malise who was about seventeen and uncomfortably close to maturity for Walter. It is tempting to see this grant of Strathearn as the price demanded by the Earl of Atholl for consistent adherence to James in 1424.

To give in to such a demand by Atholl must have been a considerable political risk for the King. It would be interesting to know whether Albany and Wigtown who, as has been mentioned, may have been with James a week earlier at Edinburgh, had accompanied the King to Perth. Both men may have been concerned with the grant of Strathearn to Atholl. Wigtown had, after all, become the brother-in-law of Malise in 1423 and may not have been happy about the effect of the grant on the latter's rights.[72] Murdac could have regarded the King's act as ominous. Not only was Atholl's position in Perthshire made more secure, but James had shown himself ready to patronise the duke's main local rival. However, both men seem to have accepted the deal with Atholl, perhaps recognising it as an important political move in building a wide basis of support for the King's action against Walter Stewart of Lennox, action which by 9 May was imminent.

An indication of the King's attitude to Walter and his confederates may have been provided by the deal made with Atholl. The King's decision to undermine the rights of Earl Malise must have been most strongly resented by the Graham family. Malise was a nephew of William, lord of Graham, a member of Walter of Lennox's close circle of supporters. That the King was prepared to antagonise the Grahams in this way hardly suggests that he was planning to

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71 N.L.S., ADV., 34.6.24, 82r.
72 This would be reinforced by the loss of his own rights as the husband of Earl Malise's heiress.

conciliate the Lennox-men in the immediate future. If the grant to Atholl was widely known, it must have had an important effect on the meeting which took place between James and Sir Walter Stewart on the 13 May.

If James was already taking hostile action against Walter's supporters, it is hard to understand how the meeting between the King and Walter, which resulted in the imprisonment of the latter, actually came to take place. Given the existing reasons for tension between the two men, that Walter came to Edinburgh castle to be arrested, probably while the King was present, must have been the product of some complex manouvering.[73] This process may have begun with the attendance of Duncan, earl of Lennox, at Durham.[74] If the earl was there, it could be an indication that, recognising James' return was now inevitable, Walter and his supporters were seeking an accomodation with the King. The absence of Walter and the Grahams however may show that the reaction of the King was not certain and that the earl, although a less controversial figure than his grandson, required protection. Without any evidence of Walter's behaviour from October 1423 until his arrest, any appreciation of this attitude can only be based on speculation. However, his previous career and connections would suggest that, throughout this period, Walter was in or near the Lennox and was surely aware that James and Murdac were not favourably disposed towards him. By April or May, Walter must also have abandoned hope of receiving French support which would allow him to prevent James' assumption of power and he had already failed to stop the conclusion of an Anglo-Scottish truce. As the King's hold on government became increasingly established, Walter's own position must have visibly deteriorated.

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73 *Scotichronicon*, XVI, Ch. 9, l. 1-6.
74 *C.D.S.*, iv, no. 943.

By the end of April, if not before, Walter must have recognised that it was necessary to come to terms with the new regime. In many ways, the only alternative to such a rapprochement was an open rebellion which, without support from his own family, let alone the rest of the kingdom, would have been isolated in the Lennox and have had little prospect of success.[75] If he was looking to negotiate with James, Walter may have hoped to secure guarantees of his and his supporters' security and possibly also on the style of government to be undertaken by the King.

It would seem reasonable to assume that Walter was seeking to reach a settlement with James during April and early May 1424. However, the King, probably backed by Albany, clearly regarded it as essential to remove Walter from active politics, at least for a period. The events of 13 May suggest that James may have lured Walter to Edinburgh castle on the pretext of the discussions which the latter may have sought. It is possible that the preparations for these talks began with Lennox's attendance on James at Durham. The significance of Malcolm Fleming of Biggar at both Durham, where he was released as a hostage, and at Edinburgh castle on 13 May, when he was arrested with Walter, presents an apparent paradox which may indicate his role in relations between James and Walter was one of importance. Although, as has been mentioned, Fleming could conceivably have been seized by the King for his failure to appear at Durham, that he subsequently went to Edinburgh with Walter makes it more likely that both he and the third man arrested on the 13 May, Thomas Boyd the younger, were implicated in Walter's activities.[76] James' decision to omit Fleming from the hostages may have been due

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75 The results of such a rebellion were to be demonstrated the following year.

76 Boyd's father, the lord of Kilmarnock, had gone south as a hostage, which makes it even less probable that evasion of hostage-duty was the cause of the arrests.

to the close political attachment of David Fleming, Malcolm's father, to Robert III. David had escorted James on his journey to the Bass and the ship taking the Prince to France in 1406, and, therefore, like Angus and John Kennedy, Fleming may have been released from his obligation as a hostage because of the links of his father to Robert III.[77]

If this was James' motivation in 1424, it suggests he was out of touch with Fleming's political record. Although he had benefitted from his father's connection with Robert III, during the Albany Governorship, when the link to the Royal Stewarts can hardly have brought much reward, Malcolm seems to have switched his adherence to the Albany Stewarts.[78] It is possible that Duke Robert was anxious to win over the son of Robert III's trusted supporter and, by 1413, Fleming was married to Elizabeth, one of Albany's daughters, and had received several grants of land from his father-in-law.[79] However, like Graham and Erskine, he does not seem to have made the transition to support of Duke Murdac and, although not in close contact with Walter, Fleming may have established links of interest with the heir to Lennox by late 1423.[80] On 26 October in that year at Glasgow, "le Seigneur de Cumbernauld" witnessed the oath of the 4th earl of Douglas to go to France.[81] Fleming was the Lord of Cumbernauld and although he may have attended the meeting at Glasgow as a local landowner, his presence appears significant. Despite his Lanarkshire estates, Fleming was not a Douglas supporter and may well have been

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77 *Scotichronicon*, XV, Ch. 18, l. 29-31; *R.M.S.*, i, no. 833; App. i, nos. 156, 157, 158; App. ii, nos. 1772, 1818.
78 *S.P.*, viii, 531.
79 *An Index, drawn up about the year 1629, of many records of charters*, ed. W. Robertson (Edinburgh, 1798), 159; *R.M.S.*, i, nos 897, 902; App. i, nos. 159; App. ii, nos. 1969, 1971.
80 William Graham appears as a witness to a charter of Malcolm Fleming at Cumbernauld in 1421 (*Charter Chest of the Earl of Wigtown*, Scottish Record Society (Edinburgh, 1910),no. 248).
81 Archives Nationales, J680, no. 71.

at feud with Douglas of Balvenie.[82] Of the other witnesses, James, the second son of the earl, and the Lords of Swinton and Seton were associates of Douglas and also involved in the plans for the French expedition, while William Borthwick was regularly in attendance on Earl Archibald. This may link Fleming to the final witness of the letter, Walter Stewart, who also lacked significant independent links to Douglas. Given the circumstances, it could also connect Fleming to the active pursuit of the French alliance by Walter. These indications of his previous activities would hardly endear him to the King and, as Seton was certainly present at Durham from the 4th earl's supporters at Glasgow, it seems unlikely that James would remain ignorant of Fleming's position.

The release of Malcolm Fleming could be connected to the attempts of the King to maintain contact with Walter in the opening month of his active rule. James was probably anxious to settle the uncertainty of Walter's position and his potential as a source of unrest before his coronation and the inauguration of his government at the Perth parliament. He may therefore have used his links with Malcolm Fleming to negotiate Walter's attendance at Edinburgh castle. Although Bower only states that Walter was arrested "on the King's order", it would be reasonable to assume that James had returned to Edinburgh from Perth to be present.[83] Edinburgh castle, still presumably in the hands of the Black Douglases, was hardly neutral territory for Walter and his presence there suggests that it was a

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82 Balvenie also possessed lands and influence in Lanarkshire and was responsible both for the death of Malcolm's father at Long Hermiston in 1406 and Malcolm's own execution in 1440 with the 6th earl of Douglas at the Black Dinner. The events following the death of Malcolm suggest a feud settlement and it is conceivable that both events were connected to local rivalries as well as central politics. Balvenie may, in the light of this, have been involved in the arrest of Fleming in 1424.

83 *Scotichronicon*, XVI, Ch. 9, l. 1-6.

pre-arranged meeting.[84] The location was probably sufficiently dangerous for Walter to require guarantees for his safety, both from the King and Albany, and by the support of his Lennox faction. However, given James' later record of arrests of men at his court, it seems likely that the events at Edinburgh castle were pre-meditated and that any suggestion made to Walter about a possible deal with his father and the King was to lure him away from his power-base. Walter's record of active defiance of his father and of hostility to James made it unlikely that the King would accept his continued liberty on any terms if at all possible. As second in line to the throne and with strong local support, Walter would have been a natural focus for opposition to the King if he remained free.

Therefore, at this meeting on 13 May at Edinburgh castle, the King arrested Walter Stewart of Lennox. The nature of the meeting between the two men and the number of supporters present with both is not clear. As the 4th earl of Douglas was keeper of the castle for life, it seems reasonable to assume the attendance at the meeting of local supporters of the family like John lord of Seton, who was a frequent councillor of the King during the summer of 1424.[85] That the Earl of Wigtown had been in Edinburgh at the beginning of May could also indicate his presence in the castle. It seems unlikely that a large council was held, as such a meeting could more easily be delayed until parliament assembled at Perth. The meeting was probably to have been between only those principally involved and a group of their immediate supporters. Given the King's intention, he would have wanted as small a number of people present as possible. With Walter on unfriendly ground, this would increase his isolation

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84 Despite his departure for France in March, the 4th earl's life-grant of the castle, received in 1400, probably held good as James would have been unlikely to risk the problems caused by overturning it (*E.R.*, iii, 515).
85 *ibid.*

and remove the chance that he could rally sympathy from the political community. Wigtown and his family's local allies could guarantee James' position in Edinburgh and the employment of Robert Lauder as the jailor of Walter may indicate the presence of his family group with the King at the meeting.

If the occasion of Walter's arrest was a small private council, the arrests of Malcolm Fleming and Thomas Boyd, the son and heir of the Lord of Kilmarnock, may indicate that these two men were the supporters of Walter at this council. As we have seen, Fleming may have been implicated in Walter's support of the French alliance for his own ends and was possibly used as an intermediary to arrange the meeting. He was detained at Dalkeith and then St. Andrews, which may indicate that he was still under arrest the following March when Murdac was taken to the latter as a prisoner.[86] Like Fleming, Boyd was not a member of Walter's Lennox support. The Boyds may, however, have been local supporters of the Albany Stewarts from 1408, when Duke Robert was attempting to establish his control in the Stewart lands in Ayrshire.[87] The Lord of Kilmarnock, Boyd's father, was with Walter and his supporter William Graham at Ayr in 1420 for a meeting, probably of local importance.[88] With his father a hostage in England, Thomas Boyd the younger may have headed the family's interests in supporting Walter. That, unlike Walter Stewart and Fleming, Boyd was released after his arrest, probably indicates the limits of his or his family's adherence to Walter and perhaps that Boyd had not associated himself with the French alliance.[89] The

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86 *Scotichronicon*, XVI, Ch. 9, l. 5-6; XVI, Ch. 10, l. 23; *Wigtown Charter Chest*, nos. 250, 251.
87 Ayrshire may have been a difficult area for the Albany Stewarts to control from 1406 to 1409 and a remission to Boyd of Kilmarnock and his supporters in October 1409 may indicate his involvement (S.R.O., GD 8/1).
88 S.R.O., RH 6/251 A.
89 *Scotichronicon*, XVI, Ch. 9, l. 16.

story that Boyd was arrested for "having wasted the crown rents during the Regency" may refer to his family's behaviour since 1406 and it is plausible that he obtained his release on "payment of certain fines into the royal exchequer", once the limits of his involvement with Walter had been established.[90]

That neither Fleming nor Boyd was from the Lennox may be evidence that Walter had considerable influence outside the area. This would increase the threat he posed the King in 1424, perhaps especially in Lanarkshire and Ayrshire. It also raises the question of the whereabouts of Lennox, Graham and the other Lennox supporters of Walter in May 1424 and their reaction to the arrest of the designated heir to the earldom. Lennox was himself to be arrested by the King prior to January 1425, but it seems unlikely from Bower's account that this occurred at the May 1424 meeting.[91] Similarly William Graham was dead before November 1424 when his grandson was being seised in the family estates.[92] The cause and exact date of his death are not clear and whenever it occurred in 1424 it must have been a severe blow to the Lennox faction. As Graham was probably in his fifties there is no reason to suspect he was a victim of political violence but he appears to have been active as late as August 1423.[93] If William Graham had died before May 1424, it could explain James' readiness to increase Atholl's powers in Strathearn, as Graham, uncle of the existing Earl of Strathearn, was no longer a danger. Graham's death could also have made the position of Walter in May more difficult and made him ready to risk the meeting with James at Edinburgh castle. This could also partially explain the lack of reaction from the Earl of Lennox and his family to the arrest

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90 A. McKay, *The History of Kilmarnock*, third edition (Kilmarnock, 1864), 40.
91 *Scotichronicon*, XVI, Ch. 9, l. 37-38; *Glas. Reg.*, ii, no. 344.
92 Fraser, *Menteith*, ii, no. 56.
93 *S.P.*, vi, 214-16.

of Walter. It seems likely that Duncan had not been at Edinburgh and remained in his earldom probably in an attempt to guarantee Walter's safety. However there does not appear to have been any trouble in the Lennox until after Earl Duncan himself was arrested later in the year. This could have been due to the loss of William Graham, though the subsequent arrest of his brother Robert Graham of Kinpunt with the Earl of Lennox shows the continued link of the family to unrest in the area.[94]

The attitude of Duke Murdac may also have played a part in preventing a revolt in the Lennox. Murdac was after all the immediate heir to the earldom, despite the connection of Duncan with Walter, and his apparently sound relations with James may have had a restraining effect locally. It seems probable that Murdac was involved in the arrest of his son and may even have been at the Edinburgh meeting. Although there had been deep divisions within the Albany Stewart family, Earl Duncan may still have been reluctant to take action in open opposition to his son-in-law. That the King received the public support of Albany is suggested by the favourable treatment of the Duke at James' coronation only a week later. The importance of this support in the events of early May must have had an effect beyond the Lennox as it transformed what could be regarded as the beginnings of a royal attack on the previous regime into merely the King's disciplining of a troublesome kinsman with the support of that kinsman's father. Murdac's establishment of good relations with the King in this affair must have re-assured those who had benefitted as a result of Albany Stewart government about the immediate effects of the King's rule.

However in terms of these relations, it may have been ominous that Walter was not handed over to Duke Murdac who, following the

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94 *Scotichronicon*, XVI, Ch. 9, l. 38-40.

reasoning above, had most claim to be his custodian. Instead the King made very sure of his continued hold on Walter. The prisoner was transferred from Edinburgh to the Bass rock where, ironically, James had himself been forced to spend a month in 1406 whilst waiting for the vessel which was to take him to France.[95] Walter was to be warded by Robert Lauder, who was lord of half of the Bass and a member of the Lauder clique increasingly associated with the King, and John Heryng, probably a kinsman of the Dunbars, whose release from prison in England James had secured shortly before his own. Heryng had also been made the constable of Bass rock castle since his return.[96]

Thus Walter was secured by the King in an inaccessible fortress in the hands of men already closely associated with his rule and with local connections to James' ally March. In these conditions, Murdac can hardly have hoped to influence the fate of his son, and this raises questions about the relative aims of James and Murdac in the action against Walter. As there was no sign that a trial was contemplated initially, the short-term aim of the arrest was to remove Walter from active politics. This was probably the extent of Albany's aims; no doubt he expected that Walter would be released once the political situation became settled, and that a cowed Walter would fit into the new climate. At most the Duke intended to reduce the estates which were to pass to Walter, as the existing settlement seems to have been the result of political blackmail in 1421-2. The idea that such a change was planned could be supported by the knighting of Alexander of Kinclaven by James at the coronation, which shows that Murdac's son was still in receipt of royal favour.

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95 *ibid.*, XVI, Ch. 9, l. 4-5. Stress is placed upon Walter's close confinement.
96 *E.R.*, iv, 380, 386; *R.M.S.*, ii, no. 29; Fraser, *Carlaverock*, ii, nos. 420, 428.

However this plan for Walter's future was of limited value to James. Having seized Walter once, he would hardly be able to trap him again, and if Walter were released, James would be faced with a latent threat to his rule. The only benefit of the arrest would be if Walter's inheritance was reduced and the Albany estates partitioned. Given his character, though, this would be equally likely to increase Walter's hostility towards the King and, with his proximity to the throne, this was an unacceptable risk for James. From as early as May, therefore, James may have decided to prevent the release of Walter even at the expense of a break with Murdac and, to that end place Walter beyond the reach of his father.

This break did not come, however, until conditions were much more favourable for the King, and any hopes which James may have harboured for a major increase in royal authority must have been tempered by the news from France. It was probably between the events at Edinburgh castle and his coronation that James received news that the Earl of Douglas had been made Duke of Touraine and Lieutenant-General of France by Charles VII and that on 7 May he had entered his ducal capital with considerable ceremony.[97] The rewards bestowed on Douglas may have been promised by the French in the negotiations held with the 4th earl the previous year, but they must also have had an effect on the Scottish political scene. The new rank and prestige of Douglas, although giving him a permanent stake in France, can hardly have been welcome to James and must have been a reminder that the Scots army which the new Duke led was a force which could be used against the crown if the leaders' interests at home came under royal attack.

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97 Archives Nationales, J. 680. no. 70; *Scotichronicon*, XV, Ch. 35, l. 9-11; W. Forbes-Leith, *The Scots Men at Arms in France*, i, 26-27.

That the King was aware of the limits this placed upon his authority within Scotland is partly shown by the continued links of James with Duke Murdac, even after the arrest of Walter had removed the main grounds for co-operation between the two men. James' coronation at Scone on 21 May, a week after the seizure of Walter, may have appeared as a celebration of the re-establishment of the good relations between the King and the Duke of Albany. Murdac exercised his right as Earl of Fife to crown the King in association with Bishop Wardlaw of St. Andrews.[98] Although this emphasis on correct consitutional procedure was probably largely to stress the prestige of the crown after a long interval, it must also have been viewed at the time as an indication of the peaceful transfer of power from the Albany Stewarts to James.

Signs of the King's apparently favourable attitude towards Duke Murdac are also provided by the list of those knighted by James at the coronation which Bower gives in his account.[99] This list, although clearly not an indication of the presence or elevation to knighthood of those included may perhaps be taken as evidence of royal favour.[100] The recipients of the honour were headed by Murdac's second son and political ally, Alexander, which should also be seen in relation to the removal of Walter. That James, having arrested the eldest son of the Duke, showed that he approved of Alexander, must have dispelled any lingering doubts of Albany about a campaign against the "arrogance" of his sons.[101] It could

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98 *Scotichronicon*, XVI, Ch. 2, l. 16-23.
99 *ibid.*, XVI, Ch. 10, l. 4-17.
100 *ibid.*, 352. The presence on the list of those knighted of hostages already in England, for example, Crawford, Seton of Gordon and Haliburton, and of men previously knighted, such as March and Wigtown, raises doubts about the validity of the list. Those named however may have been included in some form of honorific dubbing at this point, as the list is at least accurate in the ranks and political importance of those named in 1424.
101 *ibid.*, XV, Ch. 37, l. 35.

conceivably have been an indication of the role of Alexander in these events and of possible preparations to change the succession to the family estates in his favour. At the very least, the King's knighting of Alexander was a mark of friendship towards Murdac's family, and the inclusion of the Earl of Crawford amongst those receiving the same honour bears this out. Although Crawford was a hostage in England, James was still bestowing knighthood on a major political ally of Murdac. Similarly although no immediate kinsmen of Mar were involved, the dubbing of friends and vassals of the earl like Irvine of Drum, Scrymgeour of Dundee and, most importantly, Patrick Ogilvy of Auchterhouse included Alexander, earl of Mar's powerful following in the process. However if the order in which the knights were created and which Bower repeats is an indication of the true course of events, it is striking that Alexander Stewart of Kinclaven was followed by the names of the King's 'southern connection', Wigtown, Angus, March, Hepburn of Hailes, Hay of Yester and the absent Haliburton of Dirleton. Other southern lords were also named and it seems reasonable to view the important position accorded to the three earls with whom James had negotiated at Durham as an indication of their political importance to the King in the first month of his active rule.

The King's creation of these knights may also have been in the expectation of the problems which he could face over the need to levy a tax for his ransom when parliament met five days after the coronation on 26 May.[102] Two of those knighted by the King, William Erskine of Kinnoull and Patrick Ogilvy of Auchterhouse, were among the eleven men chosen to act as auditors and receivers of the tax, and it was the passage of this legislation which was probably central

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102 *ibid.*, XVI, Ch. 9, l. 8-9; *A.P.S.*, ii, 3. Between 21 and 26 May James visited Dundee (*E.R.*, iv, 383).

to the whole parliament.[103] Given the recent approval of the planned negotiations for James' release and the possiblity of a "honeymoon" period between the King and the estates following the coronation, it is quite likely that there was little opposition to the tax legislation at the 1424 parliament. This is borne out by the success with which the tax was levied in 1424 when, according to Bower, 14,000 marks were raised.[104] Whether the men responsible for raising and auditing the tax were chosen by the King or the estates is not clear, but it appears that a combination of local influence and administrative experience was being sought as the prime requirement. For example Bishop Stephenson of Dunblane, Bishop Cardeny of Dunkeld and Abbot Hailes of Balmerino may all have been involved in Albany's government of the kingdom and Hailes had been an auditor of the exchequer in 1420, 1421 and 1422.[105] Similarly, four of the auditors of the tax, Hailes, Stephenson, John Scheves and Patrick Ogilvy were to serve on James' exchequer in 1426.[106] However, the inclusion of Ogilvy, Douglas of Balvenie, William Borthwick, Dunbar of Biel, the Earl of Atholl and possibly also Erskine of Kinnoull may reflect the need for the King to have auditors who possessed sufficient local weight to ensure the taxation was levied.[107]

James also clearly took the opportunity provided by the resumption of royal authority to emphasise the legal advantages which the King enjoyed in his relations with the nobility and which the Governors may not have possessed the standing to use. The desire to

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103 *A.P.S.*, ii, 4, c. 10.
104 *Scotichronicon*, XVI, Ch. 9, l. 20-21; Duncan, *James I*, 6-7.
105 *E.R.*, iv, 310, 332, 337.
106 *ibid.*, iv, 400.
107 Patrick Ogilvy was sheriff of Angus and a lieutenant of Mar and therefore probably possessed the local influence to raise the tax in the north-east. Balvenie and Borthwick could similarly have worked with Wigtown in the Douglas lands while Atholl and Erskine may have been responsible for Perthshire and Dunbar of Biel for the south-east.

outline the powers of the crown after his long absence probably explains the statutes issued at the parliament which dealt with the maintenance of the King's peace and the punishments laid down for rebellion "aganis ye Kyngs persone" or for those with knowledge of the same.[108] The penalty "of forfatur of lif, lands and gudis" laid down for the crimes of rebellion was hardly new and the legislation surely shows that James felt it was necessary to re-issue these laws as a warning to potential opponents. Similarly, the King's desire "that ferme and sikker peace be kepit ... throu all the Realme" and against private warfare were probably conventional reminders of the return to royal rule.[109] Apparently more important were the statutes which appear together as a resumption of royal rights. James set in process an inquest to determine the ownership of the royal lands held by David II, Robert II and Robert III and resumed all grants of customs and burgh-mails to the King "till his levying". In addition he undertook to examine the performance of those officers who held their positions from the King.[110] Although apparently drastic, it does not seem likely that this legislation was immediately effective. James was probably concerned chiefly with the establishment of the rights of the crown after his long absence. With regard to royal lands, for instance, the King was aiming to establish the identity of his tenants and his right to examine their charters if he summoned the landholders to him. More serious was the reclamation of the customs as these had been used by his predecessors as a major source of patronage to gain magnate support, but this statute was moderated by the clause that "gif any man of persone makes ony clame till ony part of the saide custumes that he schawe to the King quhat he has for him and the King sall make him answer with the advisement of his

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108 *A.P.S.*, ii, 3, c. 2, 3, 4.
109 *ibid.*, 3, c. 2.
110 *ibid.*, 4, c. 6, 8, 9.

counsall".[111] The immediate effects of this act are not clear as the 1424 accounts are missing, but certainly by the following year almost all the major grants from the customs had been stopped. The main beneficiaries of the customs prior to 1424 were the Earls of Mar and Douglas and the occasion and significance of this cessation of customs revenue to them will be discussed later. There is no evidence of any major changes being made by the King in local officials in 1424 despite his legislation. In total, therefore, these statutes seem to be the beginnings of an attempt by the King to make sure his claims to the resources of the crown were acknowledged.

However the importance of such legislation lay in the ability of James to establish himself at the head of the Scottish political community. In the summer of 1424, until the news of the battle of Verneuil reached Scotland, the King lacked the power and political leverage to make effective inroads into the positions established by the major magnates prior to his release. The Earls of Douglas and Buchan in France, of Mar and Wigtown in the north and south of the kingdom and of Albany and his supporters in the central area between the Forth and Tay must all have restricted James' ability to establish a basis of strong royal power. It was within these restrictions that James was forced to operate and, during June and July, his primary aim seems to have been to consolidate the authority he must have derived from the arrest of Walter and maintain the apparent control of affairs which he had exercised since April.

There is no evidence, for example, that there was a major deterioration in the relations between the King and the Duke of Albany in this period. Following the close contact between the two men in May, Murdac was with the King and Bishops Wardlaw and Lauder

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111 *ibid.*, 4, c. 8.

among others on 3 June.[112] This was probably during the parliament at Perth, and when James went south to Edinburgh between that date and 10 July, it is likely that Murdac returned to his lands.[113] The end of this period of personal contact and political co-operation between James and Albany may be significant. The next proven meeting of King and Duke was at the parliament of March 1425 where Murdac was arrested.[114] It is not likely that the King had this in mind as early as June 1424 but at that point James may have begun to try to exclude Albany from active participation in central government, recognising that the partnership established against Walter had served its purpose for him. That the King was to seize the opportunity presented by Verneuil to begin the process of isolating Albany suggests that James still held deep-seated grudges against him and his family which prompted him to take hostile action. The landed position of Albany, his former role as Governor, his family's political record and the fact that he was heir to the throne would all have served to make a tense relationship with the King. It is perhaps best therefore to view the situation as one of strained cordiality, with Murdac adopting the role he may have anticipated for himself in the previous winter and remaining out of the political limelight. In return, the King was probably aware that the duke's links within the nobility made it unwise to press any grievances against him at this point.

However, the links enjoyed by Murdac with the Earl of Mar may well have come under strain in late July as a result of the ex-Governor's absence from James' council. The situation which may have caused this strain arose at the exchequer audit of 1424. Although

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112 *R.M.S.*, ii, no. 3.
113 *ibid.*, ii, no. 4-8. Murdac's absence from the council at this point suggests he did not take part in any continued negotiations in July about the 1424 tax (Duncan, *James I*, 6-7).
114 *Scotichronicon*, XVI, Ch. 10, l. 1-4.

the records of this audit are not extant it was clearly held, as the 1425 account was referred to as the second of the reign.[115] That the majority of the returns from this second account were rendered from 20 and 28 July the previous year makes it highly probable that a formal court of exchequer was held at this point, when the King was in Edinburgh.[116] The choice of Edinburgh as the location of the audit is of interest. As with his meeting with Walter in May, James may have decided on the city as a safe base in Douglas hands, near his southern support and away from potential opposition. Such security considerations may have been behind the King's choice of location as he may well have taken a potentially dangerous course of action in his financial policy. It seems likely that James put the May legislation about the customs into effect, reclaiming this source of revenue for the crown. The act of parliament would have alerted those with most to lose from this practice to the danger and is a likely explanation for the presence of Alexander, earl of Mar with the King in Edinburgh on 26 July.[117] As we have seen, Mar's position in the north-east and his policing of lands as far west as Inverness was heavily dependent on funds provided by the central government from the customs, amounting to an average of over £350 a year from 1412.[118] Mar was probably in Edinburgh to present his claim to these payments to James as laid down in the May statute. The payments had, however, ceased by the 1425 account, presumably indicating that they had been cancelled by the King at the previous audit. If this meeting took place on 26 July it is probably significant that Aberdeen and Inverness rendered their accounts on the 27 and 28 July

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115 *E.R.*, iv, 379.
116 *E.R.*, iv, 379-99; *R.M.S.*, ii, nos. 9-10.
117 *A.P.S.*, ii, 4, c.8; *R.M.S.*, ii, nos. 9-10.
118 *E.R.*, iv, *passim*. Over £266 had been rendered to Mar in 1422 at the previous account (*E.R.*, iv, 359, 375).

respectively.[119] The custumars of Aberdeen would probably have received instructions not to pay Mar's annuity at this point. Mar may also have failed to reach an agreement with the King which would continue the 1420 indenture with the Governor.[120]

Earl Alexander himself seems to have left Edinburgh immediately, probably anxious not to risk a clash with the King so far from his power-base. He was back at Aberdeen by 31 July in the company of a large number of his local supporters.[121] These included Bishop Lichton of Aberdeen, Alexander Forbes, Patrick Ogilvy, Irvine of Drum and Gilbert Menzies, the provost of the burgh, with a number of other burgesses. Such a meeting may have been fortuitous but it is more likely that the local community was aware of the importance of Mar's trip south and that the leaders of that community were waiting for his return. The loss of the customs revenue and doubts about Mar's position must have excited considerable debate. Whether Mar considered open defiance of James, or at least the seizure of Aberdeen's lucrative customs, is not clear, but the presence of Forbes, a royal supporter, may have been important in preventing a breach with James. However, all those present must have recognised the dangers of renewed raiding by caterans from Moray against defences weakened by lack of funds. It was probably these difficult conditions which prevented any break in relations between the King and Mar. The men who met at Aberdeen in late July must have been anxious to avoid a clash with James and, as the events of the next two years would show, the need to recover central support was a major influence on the behaviour of Mar and his allies.

However, Mar may have accepted the inadvisability of clashing with the King in the knowledge that he had received no support from

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119 *E.R.*, iv, 382, 388.
120 Fraser, *Menteith*, i, 261-62.
121 *Abdn. Reg.*, i, 220.

Duke Murdac. Whether any formal agreement had been made by the two men in their political dealings of the previous winter, Earl Alexander may have expected Albany to give him his backing in July. Though composed under different circumstances, the 1420 indenture could have been interpreted by Mar as requiring Murdac to intervene on his behalf.[122] The Duke does not appear to have been at the audit, however, and may have been anxious to avoid appearing as the leader of opposition to James' policies. However, Mar could conceivably have felt isolated and under threat as a result of Albany's absence and it may have been this realisation of the limits of Murdac's support which increased his readiness to reach agreement with the King. Thus, although James' harsh attitude towards Mar was to create problems in the relations between the two men after 1425, it may, in the short-term have worked to his advantage by putting Mar's alliance with Albany under strain.

The King's readiness to oppose Mar despite the risk of exciting discontent about his action in the north-east may have stemmed from the knowledge that he had successfully established a body of support which would back him in any such crisis. The presence of men like Bishop Lauder, Atholl and Douglas of Balvenie with James and Mar at the exchequer audit reflects this backing and probably left Earl Alexander feeling politically isolated in Edinburgh.[123] As we have seen, it was in these first months of the reign that the King was successful in winning the support of the Earls of Angus, March and Atholl and it was probably during the same six month period that James assembled the councillors who were to serve him efficiently in the growing political crisis after August 1424. The evidence suggests that those around the King, both in June and July and at the

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122 Fraser, *Menteith*, i, 261-62.
123 *R.M.S.*, ii, nos. 9-10.

end of the year, were a close-knit political faction assembled by James during this period.

It is not surprising that those men who had been connected to him during his captivity were closely involved in the King's councils. This was especially true of the Lauder family. As has been mentioned, Robert Lauder of Bass had been entrusted with Walter Stewart and he began to appear as a regular royal councillor from October 1424.[124] Bishop Lauder was also immediately a close adviser of the King and had been confirmed in his office of chancellor by early July at the latest.[125] Two other members of the family were included in the King's privy council in November 1424 and it is likely that John Forrester, a political ally of the family, continued as deputy-chamberlain and joined Bishop William as a councillor of the King.[126] James was relying on similar links when he involved Walter Ogilvy and Alexander Forbes in his government.[127] Both men, and especially Forbes, were closely connected to north-eastern politics and it is possible that the relative infrequency of Forbes' attendance on the King provides an indication of his growing importance as a link between Mar and the royal government.[128] Ogilvy on the other hand was regularly on the council from 1424 onwards.[129] It is probably fair to include in this group the members of James' immediate household, some of whom had returned with him from England. Leslie refers to these men:

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124 *R.M.S.*, ii, nos. 11, 12, 13.
125 Bishop Lauder was not described as chancellor on 3 June 1424 (*R.M.S.*, ii, no. 3), but this may be a mistake and from 10 July he was in the office and in attendance on the King on a regular basis.
126 S.R.O., GD 119/167; *R.M.S.*, ii, nos. 9-10. This would explain Forrester's presence as deputy chamberlain at the exchequer audit.
127 S.R.O., GD 119/167.
128 *Abdn. Reg.*, i, 219, 220. These charters show that Forbes was in the north-east while the arrest of Walter and the exchequer audit occurred in Edinburgh.
129 *R.M.S.*, ii, 4-8, 13.

> War mony utheris, als, quha at that tyme with King James cam frome Ingland; quhome how weil he luvet, and how gret was his favour to thame he cleirlie schew in his benefitis bestowing upon thame, his benevolent pleisour, humanitie and gentleness to thame.[130]

This would seem to exaggerate both the numbers of these men and their importance to James. Although the King's familiar in exile, Michael Ochiltree, was to be made Bishop of Dunblane, and another, Thomas Myrton, became Dean of Glasgow, neither seems to have been a major figure in the royal administration.[131] In 1424 it is more interesting that the King used the personal contact established during his captivity to employ two laymen in his service. John Benyng's position has already been mentioned, but James also employed William Giffard, a man with long-standing ties to the King's family as the custodian of Edinburgh castle by 1425.[132]

However, much more important as a source of lay and ecclesiastical councillors and of physical support was the Black Douglas family which seems almost to have underwritten James' return. The King's use of Edinburgh castle in moments of potential crisis during 1424 is a clear sign of his political alliance with the family. This alliance was probably confirmed by James during his meeting with his nephew, Wigtown, at Durham. Although the King had reduced the family's influence in the south-east, Wigtown's apparent acceptance of this may reflect his anticipation of the benefits of James' rule for the Black Douglases. The incorporation in the King's

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130 Lesley, *History of Scotland*, Bk C, 38.
131 *C.S.S.R.*, ii, 137; *ibid.*, iii, 95. Myrton is described as 'Great counsellor of James King of Scots' (*C.P.R. Letters*, viii, 97).
132 William Giffard had been marshal of Queen Annabella (*E.R.*, iii, 561) and had been captured with James in 1406, remaining in custody with him until 1413 at least and was described in 1416 as a servant of the King (Balfour-Melville, *James I*, 31; *E.R.*, iv, 252; *C.D.S.*, iv, 837). He was paid the fee of the 'janitor and watchmen' of the castle in 1425 (*E.R.*, iv, 381).

council of a number of men who were closely connected to the Douglases may well have been part of these benefits. Thus John Cameron, Wigtown's secretary in December 1423, had been made secretary of the King, his first step in a rapid rise in importance, by the following July.[133] The favour shown to William Fowlis in 1424 and 1425 by the King provides another indication of the overlap developing between royal and Douglas councillors.[134] The same tendency probably explains the appearance of men like Douglas of Balvenie, John Seton, William Borthwick and Thomas Somerville on the King's council during 1424. The first three of these men were amongst the closest advisers of the 4th earl of Douglas and their involvement with James may have been as representatives of the Black Douglas interest. As their landed interests were at least partly centred on the Lothians, they may have been in a better position than Wigtown to play this role. Seton and Balvenie were probably with James throughout his stay in Edinburgh in July and Borthwick and Balvenie had been named as auditors of the tax in the May parliament, perhaps responsible for levying funds from the areas of Black Douglas influence.[135] Although Thomas Somerville of Carnwath was bailie of the lordship of Douglas, he was less close to the 4th earl and only appeared as a royal councillor after Verneuil.[136] Somerville's later career seems to suggest, moreover, that he was to become primarily a royal agent and he was probably not a member of any Douglas clique on James' council.

It is possible, in additon, that James Douglas of Balvenie was linked to another group of men associated with the royal council. At some point before March 1426, Balvenie married Beatrix Sinclair, the

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133 *R.M.S.*, ii, nos. 4-10, 13.
134 *C.S.S.R.*, ii, 55, 63; *C.P.R. Letters, vii*, 360, 369.
135 *R.M.S.*, ii, nos. 4-10; *A.P.S.*, ii, 4, c.10.
136 Fraser, *Douglas*, iii, no. 242.

sister of William, earl of Orkney, a match which seems to have formed or sealed an important political alliance.[137] The two men were on the same safe-conduct to meet James in March 1424 and this may have been the point at which the marriage was first discussed.[138] As Balvenie had possibly been involved in negotiating a match with one of Albany's sisters during the winter of 1423-4, this change may have been a conscious political switch.[139] This switch was probably based on a desire to establish himself with the King both as a part of the Black Douglas membership of James' council, and perhaps also to create an independent power-base for himself at the centre. With these aims it was probably obvious even in early 1424, that a matrimonial bond with Albany was of dubious value to Balvenie. Marriage to Beatrix Sinclair on the other hand gave him the opportunity of a more secure link with the King. This was because Orkney may have benefitted from the association of his father with James' early captivity. Earl Henry Sinclair had been captured with James and spent several years in England with the King.[140] Orkney also had existing ties to the Douglases, holding Nithsdale in right of his mother, and Balvenie's niece, Egidia Douglas.[141] These lands in Dumfries-shire may have been the basis of contact with the Black Douglases as well as the barony of Herbertshire in Stirlingshire, granted to the Sinclairs by the 4th earl, which formed a significant landholding connection.[142]

Even if this was the case, Balvenie was clearly tightening this link and it seems likely that a third man, Alexander Livingston of Callendar, was also involved in this group. Livingston was the

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137 *R.M.S.*, ii, no. 40.
138 *C.D.S.*, iv, no. 943.
139 *A.P.S.*, i, 589; Fraser, *Elphinstone*, ii, 226-28.
140 *Scotichronicon*, XV, Ch. 18, l. 12-13.
141 Fraser, *Douglas*, iii, nos. 81, 82, 404, 422.
142 *S.P.*, vi, 570.

bailie of the barony of Herbertshire, a fact which connected him both to the Earls of Orkney and to their feudal superiors in the estate, the Earls of Douglas.[143] As well as appearing with Orkney and Balvenie on the safe-conduct for the Durham meeting, Livingston was also present with Orkney and Balvenie on the King's council in November 1424.[144] More significantly they are the only three men who appear both on the royal council in November and on the smaller but politically more significant council with the King in January.[145] The three men can be found separately in the King's presence during 1424-5 but the examples of their joint attendance strongly suggest a small sub-group of the royal council.[146]

Thus the men with James during 1424 provided a representative selection of those groups politically associated with his rule in the first months of the reign. Bishop Lauder was present with the King in July, as were Seton, Cameron and Balvenie for the Douglases, while Walter, earl of Atholl's attendance is probably an indication of his importance to James after their meeting in May.[147] Although not involved in the King's immediate councils at this stage, March and Angus can probably also be included in the ranks of James' backers. Since his return in March, the King had apparently assembled a coherent body of support which could at least guarantee his political survival. His success in this must be taken as evidence of the King's native ability in factional management, but it is worth speculating on the price paid in terms of his freedom of action. While men like Angus, March and Atholl achieved some of their local territorial or political aims in the deals they struck with the King,

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143 *H.M.C.*, vii, 706, no. 20.
144 *C.D.S.*, iv, no. 943; S.R.O., GD 119/167.
145 *R.M.S.*, ii, no. 15.
146 *R.M.S.*, ii, nos. 4-10; P.F. Tytler, *The History of Scotland*, 9 vols (Edinburgh, 1828-43), iii, 218.
147 *R.M.S.*, ii, nos. 4-10.

the relationship of James with the Douglases was less clear. As has been suggested, the involvement of supporters of the family in the King's council may have been part of their price, but the effects of this Black Douglas influence on James' actions is not so apparent. At the very least, the King could hardly attack the position of the family in southern Scotland whilst he was partially dependent on Douglas support, while his council included Douglas adherents and while the influence of the new Duke of Touraine still had an effect in a large part of the kingdom. If James had taken a conscious decision to exclude Albany and his allies from his counsels then he must have been forced to rely on the Black Douglases.

In early August 1424, James had established himself as the ruler of Scotland, but it was still not clear how far this rule could be extended. After all, in this period the King seems to have restricted his movements to the lower Forth and Tay valleys which, although they were at the political hub of the kingdom, hardly allowed him to establish control of the crown's lands beyond those areas, let alone stamp his authority in the local power-bases of the Scottish nobility. Instead, from March 1424, James had shown himself ready to work with the leaders of his nobility, with Albany until May and the Douglases throughout the perioid. However, if the political circumstances of his return had made James a King on a leash then, by July, with the exclusion of Albany and Mar from a major role in royal government, he was straining at it. The breaking point was reached, probably much sooner than expected, as a result of events over 600 miles away in France. On 17 August 1424 the "new army" of Scotland was largely destroyed by the English at Verneuil in Perche.[148] The battle, "a second Agincourt" to the victors, claimed the lives of Douglas and Buchan and opened up a new set of political opportunities

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148 *Scotichronicon*, XV, Ch. 35, l 14-57.

for James. His exploitation of these opportunities dominated the political situation in Scotland for the next nine months.

3 THE DESTRUCTION OF THE ALBANY STEWARTS (AUGUST 1424 - JUNE 1425)

i. The Fruits of Verneuil

The news of Verneuil probably reached Scotland in late August 1424 and its significance must have been readily apparent to the leaders of the Scottish political community. The deaths of Douglas and Buchan were obviously to the advantage of James in removing two men able to exert political influence in Scotland even during their absence. In particular, as we have seen, this influence acted as a restriction on the behaviour of the King and a form of insurance for the kin and allies of the Earls of Douglas and Buchan against any royal attack. The end of James' worries about a return of all or part of the Scots army in France was probably also accompanied by an end to more general foreign policy worries which the King might have harboured. Charles VII was no longer in a position even to promise military aid to opponents of an Anglo-Scottish truce and James could be confident that no large-scale expeditions would go to France without his leave. As a result grounds for tension with the English were also probably reduced by events at Verneuil. Finally, the demise of two major landowners and a large number of their closest allies must have created problems for those connected to Douglas and Buchan, and especially their heirs. The possibility of influencing the successions to the estates held by Buchan and Douglas was another political weapon which was presented to James in late August 1424.

Subsequent events suggest that, by October at the latest, the King was aware of, and acting on, the political advantages presented to him by Verneuil. It seems plausible to assume that James was making preparations for such action from the moment he received news of the battle. It was probably, therefore, during September 1424,

that he determined upon the destruction of the Albany Stewarts and their closest allies as his immediate political aim. The lack of evidence of open clashes between the King and Duke Murdac prior to August and the obvious importance of Verneuil in removing a major check on the King's actions suggest that this was the point at which such a plan could be considered as practical. Moreover, from October, James can be seen as making concerted moves in various parts of the Kingdom to bring about the political isolation of Murdac and to obtain sufficient backing for a royal attack on the Albany Stewarts.

James' reasons for embarking with such determination on a course of action which held potential dangers for his position, were surely based on the expectations he had about the extent of royal authority. It seems unlikely that Murdac's own actions since March 1424 had, in themselves, provided the reasons for the King's implacable hostility. The reasons were, however, still probably based on the impression of the power and importance of the Albany Stewarts gained by James in the opening months of the reign. This may have served to confirm the doubts which the King must already have harboured. During this period the King probably came to realise that, even if Murdac continued to accept James' authority, as he had done since April, the mere existence of the Albany Stewarts represented a check on his position as King. The political record of the family from 1371 may have been seen by James as proof that the Dukes of Albany possessed too much land, too near the main centres of Scottish government to become part of the less independent nobility, responsive to the royal will, which James hoped to establish. Despite his readiness to work with the King, Murdac still represented such a check. His lands and local support made Albany the predominant magnate in much of central Scotland and James may have believed that this influence could

exclude royal authority from the same areas. More importantly, James was probably influenced by the fact that Albany was in his sixties and that the succession of a new duke in the near future could result in a change in relations. This problem was made more acute by the continued incarceration of Walter. As has been mentioned, the fate of Albany's heir may have been a source of tension between the King and the duke. Even the possibility that Walter would succeed his father must have been worrying for James, and his inability to remove his main political opponent without a clash with Murdac could have prompted the King to use the opportunity presented by Verneuil to attack the whole Albany Stewart family. Though, by August, Queen Joan must have been known to be pregnant, she was to give birth to a girl at about Christmas which meant that Murdac was still James' heir and Walter second in line to the throne.[1] The continued proximity of both men to the crown and to the political power they had exercised before April must have been a source of anxiety for James. Murdac's absence from central politics in 1424 may reflect that he appreciated the difficulties inherent in his relations with the King.[2] However James seems to have decided that even the continued existence of his political predecessor was unacceptable if he was to guarantee the security of his position and ensure his ability to control the activities of his nobility.

The basis of this hostile attitude towards the Albany Stewarts must have been James' knowledge of Scottish politics since the 1380s. There may have existed a sense of personal grievance towards the family of Murdac, which amounted, in the eyes of contemporaries, to vindictiveness. The political subordination of James' father by Robert, duke of Albany in the 1390s and the King's own memories of

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1 *Scotichronicon*, XVI, Ch. 11, l. 6-7.
2 Murdac was apparently last with the King at Perth on 3 June (*R.M.S.*, ii, no. 3).

the same duke's cynical cessation of plans for his release following the liberation of Murdac may have been part of the King's grudge. However, it seems possible that it was the arrest and death in custody of his own brother, the Duke of Rothesay, in 1402, which was chiefly in James' mind. This was an event which changed James' life and of which, as a boy of eight, he must have been aware. Robert III's establishment of a secure western principality for his new heir may indicate a determination to keep the Prince out of Albany's control and a corresponding hostility between the two brothers.[3] The link between the events of 1402 and 1425 is clearly drawn by the forfeitures of John Wright and William Lindsay of Rossie.[4] The treatment of these two Fife retainers of Albany by the King may have been partly the result of their behaviour in 1425, as will be discussed. It is surely significant, though, that the two men were named by Bower as participants in the events surrounding Rothesay's death. Lindsay of Rossie had, with John Ramorgny, another Fife landowner, seized the duke, having been members of his council, and Wright, with John Selkirk, had been his custodian at Falkland where he died.[5] Although, in 1425, sentences of forfeiture were passed on Lennox-men for rebellion and this may have been connected with the crimes of Wright and Lindsay in the King's eyes, the punishment of the two surviving agents of the duke of Albany in 1402 probably shows James' political memory at work.

The King may therefore have based his aggressive response to Verneuil on a combination of his view of his family's dispute with the Albany Stewarts over the previous decades and on an appreciation of the restrictions placed on his position by the Dukes of Albany and the corresponding advantages for royal rule if the family and its

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3 *H.M.C.*, Mar and Kellie, i, 7.
4 N.L.S., ADV. 34.6.24, 189r; *R.M.S.*, ii, nos. 655, 2593.
5 *Scotichronicon*, XV, Ch. 12, l. 35-55.

chief supporters were neutralised. The improvement of his landed position and his authority which the removal of Murdac and his sons would bring about may have been obvious to James by late 1424. As a result, the King decided to exploit the opportunity which Verneuil represented despite his relatively good relations with Murdac. His arrest of Walter and his manipulation of the divisions within the political community alike suggest that James was an aggressive and opportunistic politician and he may have recognised that the circumstances in the autumn of 1424 were favourable for the gradual isolation of Albany.

The first indication of James' opportunism is provided by his immediate involvement in the affairs of the Black Douglases. As we have seen, the Douglases were already closely connected to the new regime, but it seems likely that the King was anxious to increase his authority over the family. The death of the 4th earl and a number of his closest supporters at Verneuil obviously weakened the position of the Black Douglas connection within Scotland. Therefore, it is surely significant that on 12 October James was at Melrose in the company of the new Earl of Douglas, the former Earl of Wigtown.[6] The nominal reason for James' presence in the south of Scotland may have been connected to the election or inauguration of a new Abbot of Melrose. The date of death of the previous abbot, David Benyng, is unknown, but his successor was certainly installed by the end of 1425.[7] As the 4th earl had been 'special protector and defender' of Melrose, it seems likely that his son would retain an interest in the election of the new abbot.[8] If the King and the 5th earl of Douglas were involved in this election, then the choice of John Fogo as abbot is clearly significant. As an influential monk of Melrose active in

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6 *R.M.S.*, ii, no. 11.
7 *ibid.*, ii, no. 31.
8 *C.S.S.R.*, i, 106.

ecclesiastical politics and with excellent credentials as a supporter of Martin V at the end of the schism, Fogo was a natural choice as Abbot.[9] However, he was also a Douglas adherent and, from 1419, the confessor of the 4th earl.[10] The influence of the Douglases may have been instrumental in securing the abbacy of Melrose for Fogo. In this case, James' acceptance of Fogo's election is a sign of his continued confidence in the Douglas family and its ecclesiastical protegés. That, like John Cameron and William Fowlis, Fogo was to become a member of the royal household as James' confessor shows the strength of the King's trust in this source of advisers.[11]

The real reason for the King's presence at Melrose must have been more directly connected to his relations with his nephew, the new Earl of Douglas. This was almost certainly the first formal meeting between the two men since the death of the 4th earl, and the question of the 5th earl's succession must have been considered. There could conceivably have been some kind of formal acknowledgement of the new earl, who, after all, had been in actual control of the majority of his father's lands since March. However, the presence of the King may have been intended to give an indication of an increase in the influence of the central government in the south of Scotland. There is no evidence of Murdac visiting the area as Governor, and it seems likely that the authority of Duke Robert and Robert III was only indirectly exercised in the areas of Black Douglas influence. For James to go to Melrose to confirm the earl and the abbot in their positions was a visible display of the crown's new importance to the local political community.

The effectiveness of the King's actions was based upon the temporary vulnerability of the new earl and his anxiety to maintain

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9 *Scotichronicon*, XV, Ch. 24, l. 65-68; *C.P.R., Letters*, vii, 214.
10 *C.S.S.R.*, i, 102, 106.
11 *R.M.S.*, ii, nos. 31, 142.

the influence of his connection in royal government. It is possible that, between the news of Verneuil reaching Scotland and the King's visit to Melrose, the earl's supporters on the council had been working between James and Douglas. The presence of men like Douglas of Balvenie and John Seton, who had been with James in July, may have been used by the King to reach a political deal with his nephew.[12] These men would have also had a vested interest in the continued good relations of the King with the Earl of Douglas. A political deal at this point, although it did not end the participation of the family and its adherents on the King's council, may well have had an effect on the local influence of the Earls of Douglas which had been built up by the 4th earl.

This certainly seems to have been the case in Lothian and the east march of Scotland, where Black Douglas influence was the product of the 4th earl's administration and defence of the area from 1400. This influence was based on the earl's personal links with local landowners and on his tenure of offices of significance in the area. Therefore, the death of the man at the centre of this personal network brought a natural loss of influence for the Black Douglas family. This was especially apparent in Berwickshire where the battle of Verneuil also removed the Douglases' main local supporters, John, lord of Swinton and Alexander Hume of Dunglass.[13] Swinton was succeeded by a son who was probably less than a year old and the grandson of George, earl of March.[14] The dispute over control of this child was part of a local power struggle over the next ten years between the Earls of March and Angus, from which the Black Douglases were conspicuously absent. Similarly the family's links with the

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12 *ibid.*, ii, nos. 5-10.
13 *Scotichronicon*, XV, Ch. 35, l. 17-18; Hume, *Douglas and Angus*, 239-40.
14 S.R.O., GD 12/20.

Humes were broken. With the death of the 4th earl and his deputy as bailie of Coldingham, Alexander Hume, control of the lands of the priory passed to David Hume of Wedderburn.[15] From this point the Humes seem to have operated as free agents, with control of Coldingham's estates as the basis of their influence.[16] The personal friendship of the 4th earl with Alexander Hume which had provided the latter's importance was not renewed now that the family had a guaranteed source of local influence. There was probably a similar situation in Lothian, where the death of the 4th earl meant that it was no longer possible for the family to use Edinburgh as a base. Control of the castle and his special link with Holyrood Abbey lapsed on the earl's death and may have affected the relationship of his successor with the local landowners. An examination of the men in attendance on the 4th and 5th earls underlines this decline in Douglas influence around Edinburgh and in Berwickshire. While John Seton, Adam Hepburn of Hailes, William Borthwick and William Sinclair of Hermiston were all in the company of the 4th earl on four or more occasions, like the Swintons and the Humes, none of these men or their successors appeared more than once with the new Earl of Douglas before 1437.[17]

Much of the loss of the family's influence in the south-east of Scotland, was, therefore, the result of the end of the personal connections and offices which had been built up by the 4th earl. However, it seems likely that James was anxious to prevent the new

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15 David Hume had been acting as his brother's representative in 1424 (*Cold. Corr.*, no. CIX) but did not receive the full office until 1428 (*Cold. Corr.*, CXIV). He entered into an agreement with his nephew, Alexander Hume of that ilk, in 1425, dividing the profits of the office should David receive it (*H.M.C.*, Milne-Home, 3).
16 Control passed from the Humes of Wedderburn to the senior branch in 1442 (C.A. McGladdery, 'Crown Magnate relations in Scotland (1437-60)', unpublished Ph.D. thesis, St. Andrews, (1987), 82).
17 A. Grant, 'The Higher Nobility in Scotland and their estates', unpublished D. Phil. thesis, Oxford (1975), 336.

earl recovering anything of his father's influence in the area. This had already been suggested by James' grant of the wardenship of the east march to George Dunbar, earl of March, earlier in the year. In engineering the exclusion of the 5th earl from Berwickshire, the King almost certainly received the support of the Earls of March and Angus. These two men had reason to resent Black Douglas influence in the area and were to dominate the south-east for the next ten years in a struggle to fill the form of power-vacuum which the 4th earl's death had created. The lack of a predominant local magnate after 1424 made the south-east an area of competing interests of both the earls and the lesser landowners like the Humes, Hepburns and Swintons. In contrast to this, the King seems to have established himself in control of Edinburgh. This is certainly suggested by the grant of custody of Edinburgh castle to his close supporter Robert Lauder of Bass and to James' family retainer, William Giffard, as 'janitor' of the castle.[18] Neither man would be anything more than a royal official, ensuring that James could use Edinburgh as a base for his authority without being dependent on Douglas support.

Although the 5th earl may himself have recognised the difficulties involved in maintaining any kind of influence in the east march, this cannot have been the case in Wigtown and Galloway which were the basis of Black Douglas predominance in the extreme south-west. As we have seen, these lands were in the hands of the 4th earl's wife, Margaret Stewart, by March 1424. Whether the grant was made as a terce for the countess for her lifetime or whether, like Wigtown, her local authority was just as her husband's deputy is not clear, but in either case, though especially the latter, the new earl would probably have been anxious to recover control of the estates which had formed the basis of his grandfather's landed

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18 *E.R.*, iv, 410, 381; *Glas. Reg.*, ii, no. 344.

position. That, three weeks after the Melrose meeting, James confirmed a charter of his sister concerning lands in Galloway would seem to indicate that he had not altered the situation and Margaret, now Duchess of Touraine, clearly remained in control of the area.[19] However, James only confirmed her local position in 1426, which may indicate that in October 1424 the long-term status of Wigtown and Galloway was left deliberately vague by the King.[20] It is possible that in October 1424 James held out the prospect of the recovery of these lands as a reward for the continued backing of the 5th earl. There was clearly no formal separation of the lands from the rest of the Black Douglas estates at this point, as the earl adopted the title of Lord of Galloway.[21] It may have been in these discussions and on the King's insistence, however, that the title of Earl of Wigtown, revived for the future 5th earl before 1419, was allowed to lapse, possibly due to the illegality of its creation without the permission of the King.[22]

Despite this successful exploitation of the 5th earl's temporary weakness, the King was clearly anxious to maintain his links with the Black Douglas family as his supporters. This is clear from the continued presence of men like Douglas of Balvenie, Seton and Borthwick on royal councils and the role of other Douglas adherents in the King's attack on the Albany Stewarts. At the same time it must be significant that, of these figures, Seton and Borthwick had their main estates near Edinburgh, which as an area was slipping away from Douglas influence, and, although both families retained contacts with the 5th earl, they were not as close as they had been with his

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19 *R.M.S.*, ii, no. 12.
20 *ibid.*, ii, no. 47.
21 Fraser, *Douglas*, iii, nos. 383, 384, 385.
22 The next use of the title by the Black Douglases was by the 8th earl of Douglas on the eve of his fatal clash with the crown in 1452 (*R.M.S.*, ii, no. 523).

predecessor.[23] The presence of these two men at Melrose, however, suggests their continued interest in Douglas affairs.[24] As we have seen, even the position of Balvenie was no longer straight-forward, and by 1426 he had carved out a position as a 'middle-man' between King and earl. It was probably the reduction of strong Douglas links with his council and of the family's control of the whole border and Edinburgh which James was trying to achieve in 1424 to end the potentially stifling influence of the Black Douglases on his rule. However, the key to the King's treatment of the new Earl of Douglas at the Melrose meeting must have been in relation to James' preparation for action against Duke Murdac. For such a move, the King needed to be assured of the earl's support and would hardly have made any reductions of Black Douglas authority if they created the possibility of losing that support. That James confirmed the earl in part of his estates following Murdac's arrest in March 1425 may have been one result of the Melrose meeting and the King's deal for maintaining Douglas' support.[25] That there was no change in the position adopted by the Black Douglases since 1423 suggests that the commitment of the family to James was unaffected by the actions of the King in the autumn of 1424. The 5th earl probably continued to cling to the idea that the combination of an influential clique on the royal council and the support of his local power-base, with which he had provided the King in the first year of the reign, created a good position for the Black Douglases to benefit from the increase in James' power once the Albany Stewarts had been dealt with. It would

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23 It may have been at about this point that Borthwick exchanged the lands of Yester in East Lothian for those of Loquhariot or Borthwick in Midlothian with Thomas Hay, the latter estate becoming his main residence. Seton's main estates were at Tranent and Barns in East Lothian (G.Chalmers, *Caledonia*, New Edition, 9 vols (Paisley, 1887-1902), iv, 822; *S.P.*, viii, 573-74).
24 *R.M.S.*, ii, no. 11.
25 *R.M.S.*, ii, no. 19.

have been a considerable political risk for the earl to have attempted to reverse his family's stance in relations with the King at a point when his ability to act as an independent power-broker in the manner of his father had visibly evaporated.

James' trip to Melrose to ensure the continued support of the Black Douglases may reflect that he was planning, or had already taken, another step towards an open breach with Duke Murdac. This step was the arrest of Duncan, earl of Lennox, and Sir Robert Graham of Kinpunt at some point during 1424. While there is no evidence as to the precise timing or circumstances of the arrests, Bower distinguishes them from the seizure of Walter Stewart in May.[26] Similarly, Lennox was in custody by 7 January 1425 and thus he was arrested before the general round-up of the Albany Stewart family in March 1425.[27] The seizure of Lennox and Graham occurred, therefore, as a separate attack on the kinsmen of Murdac by the King and must be connected to James' earlier arrest of Walter. Lennox may have initially accepted Walter's arrest as a result of Murdac's support of the King and because Walter was in effect a hostage for the good behaviour of the whole Albany Stewart family. However, by the late summer, Duncan may have been exerting increased pressure for his grandson's release, a sentiment with which Albany may have sympathised. Despite this, that, as with Walter's arrest, James could seize his political opponents without any evidence of large-scale disturbance suggests that no planned military defiance had been undertaken by the earl. It is possible that the arrests took place during the months after Verneuil when the King was actively improving his position. As will be discussed, James seems to have been

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26 Bower discusses the coronation and parliament immediately after describing the arrest of Walter and states only that the arrests of Lennox and Robert Graham took place in the same year as these events (*Scotichronicon*, XVI, Ch. 9).

27 *Glas. Reg.*, ii, no. 344.

concerned to safeguard Dumbarton from the end of October 1424 and this may be a sign that he had taken over the burgh and was worried about local hostility after his arrest of Earl Duncan. On at least one occasion between July 1424 and May 1425, the royal household was at Glasgow and, given his presence at Ayr on 25 October, it is quite possible that James' visit occurred en route to the Stewart lands in Ayrshire.[28] In the circumstances of 1424, Glasgow could have provided the location for the King to meet and arrest the Earl of Lennox who possessed lands and rights near the burgh.[29] Moreover, Glasgow was sufficiently close to the Lennox for Duncan to risk a meeting with the King, perhaps to attempt some form of political accomodation following the period of tension between the two men which must have resulted from Walter's arrest.

Given his later notoriety, something should be said at this point about the involvement of Robert Graham in these events. As has been mentioned, it seems likely that William Graham, a close ally of Walter and Lennox, had died in early 1424 to be succeeded by his grandson, Patrick. That Bower associates Robert's arrest with the seizure of Earl Duncan suggests that Robert rather than Patrick had replaced William in his connection with the Lennox clique.[30] This is borne out by the precept of sasine which Patrick received for part of the family's lands from the Earl of Atholl in November.[31] Patrick was clearly at liberty and able to secure his inheritance shortly after his great-uncle's arrest. This indication of trust may have been designed to win over the new head of the family to James' side. Robert, however, was the senior member of the Graham family in 1424,

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28 *E.R.*, iv, 398; *R.M.S.*, ii, no. 12.
29 *Glas. Reg.*, ii, no. 344; *Lenn. Cart.*, 59-60.
30 Bower states that "the same thing happened (*consimilater*) to Robert Graham" as to Earl Duncan which implies a degree of association borne out by Graham links with Lennox in 1423 (*Scotichronicon*, XVI, Ch. 9, l. 38-9).
31 Fraser, *Menteith*, ii, no. 56.

despite lacking William's connections, and his readiness to participate in the opposition to James would fit in with his later involvement in the King's murder. His apparent hostility towards James could have been the result of the treatment he received in 1424, but the qualities he showed in 1437 as a man of action in politics and violence may well have inspired his link with the Lennox faction.[32]

The apparent purpose of James' actions was the removal of the leaders of potential local opposition from the Lennox. This possibility is reinforced by the places in which the two men were incarcerated. Graham was placed in the custody of James' ally, George, earl of March at Dunbar castle, while Lennox was imprisoned in Edinburgh castle, now securely in James' hands.[33] Thus Duncan and Walter were entrusted to Robert Lauder, Giffard and Benyng, all close henchmen of the King and dependent on his success. If James hoped to prevent trouble in the Lennox by his arrests, subsequent events suggest he enjoyed only limited success. As it is unlikely that open opposition occurred before the earl's detention, James may well have stirred up the local problems he was to experience. However, the King seems to have been able to anticipate and limit the effects of the early stages of the Lennox revolt, and this may indicate that he was aware of the danger and was concerned with more than just the local situation. It is unlikely that the King arrested Earl Duncan without consideration of the position of Murdac who was, after all, the son-in-law of Duncan. The duke was, though, hardly a close political associate of Lennox and had supported the arrest of Walter.

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32 If the earl had been summoned to put his case to the King, Graham's famous legal training may have been of importance. If he was later the speaker, both of an assize and of parliament, Robert's abilities may explain his presence and arrest (*E.R.*, iii, 347; Fraser, *Carlaverock*, no. 35; Duncan, *James I*, 23-24).
33 *Scotichronicon*, XVI, Ch. 9, l. 37-40.

James may have been able to present the arrests of Lennox and Graham as simply the completion of the earlier attack on the group which had been a source of political insecurity for Murdac as Governor as well as for the King. Murdac was faced with the choice of reversing his position of May 1424 and attempting to lead some form of opposition to James or accepting the King's custody of another of his close kinsmen. These difficulties may have been part of James' aim in renewing his attack on the apparently quiescent Lennox faction.

If the arrest of Earl Duncan took place at Glasgow in mid-October it is clearly significant that the King followed his action by an immediate journey to Ayr.[34] The aims of the King in visiting the Stewartry were probably connected to his worries about a possible revolt in the Lennox. This was the King's only known contact with the area in the first year of his reign and it must have been an attempt by James to re-establish control over the landed and military resources of the crown. The King had a special reason to regard these lands as his personal property, as in 1404 he had been made Prince and Steward of Scotland by his father who had granted him the Stewart patrimony of Renfrew, Kyle, Cunningham and the earldom of Carrick in Ayrshire, the lands of Knapdale and Cowal beyond the Clyde and the islands of Arran, Bute and the Cumbraes.[35] However, the ability of the King to establish his control over this Stewart principality after an absence of eighteen years can hardly have been certain. This must have been especially the case as, because the area was dominated by the estates of the King or his representative, the political changes in central government had a strong impact on the local landowners whose positions were based on the patronage of that government.

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34 *R.M.S.*, ii, no. 12.
35 *H.M.S.*, Mar and Kellie, i, 7.

Therefore it seems likely that the Albany Stewarts had established some form of control over the royal lands in Ayrshire during James' absence. While there may have been some local opposition to this from families like the Kennedies, there was no long-term alternative to Albany Stewart government. The ambiguous situation which resulted may be reflected in the agreement between Robert, duke of Albany and the head of the Kennedy family, Gilbert of Dunure, in 1408. Gilbert agreed to enter Albany's 'special retinue' and promised to hold his lands "with sic service as the saide Schir Gilbert and his predecessors held thaim of the Erlis of Carrick in tyme bygane".[36] This implies that such service is to be given to Duke Robert despite James' position as Earl of Carrick and a similar takeover of the King's rights in the Stewart lands of northern Ayrshire also seems to have taken place.[37] That in 1422 Murdac granted a charter as Steward of Scotland must show that, at the very least, he was able to maintain the influence of his father in the Stewartry, though it is not clear whether the Governors consistently claimed the positions of Steward or earl of Carrick.[38] The actual control exerted by the Governors on these estates is also not clear. Compared with the frequency with which Robert II and Robert III were in the area, the Dukes of Albany were only occasional visitors.[39] There is no evidence of Murdac's presence in Ayrshire or the surrounding districts during his Governorship. It is possible that local authority was delegated to one of the Albany Stewart family. This may be the significance of Walter Stewart's presence at Ayr in early 1420 shortly after the death of his elder brother Robert.[40] He

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36 S.R.O., GD 25/1/31.
37 *R.M.S.*, i, nos. 874, 890, 909, 919; ii, nos. 27, 102; S.R.O., GD 8/1.
38 *R.M.S.*, ii, no. 102.
39 Except for the period between 1406 and 1409, when the Governor may have been establishing control of the region.
40 S.R.O., RH 6/251 A.

was in the company of major south-western figures like the Boyds and the Kennedies, and this could mark his takeover of some responsibility in the Stewartry and Carrick.

Such a role could explain Walter's links with the Boyds and Flemings in 1424 as well as possible connections between Earl Duncan of Lennox and the area.[41] It could also be a reason why James delayed his visit to the hereditary lands of his family for so long. If the Albany family had successfully established an administration for these estates before his return, it would be natural for the King to look elswhere for support. His decision to change this situation in October may have been because, with the arrest of Walter and the effects of Verneuil, he had the political leverage to gain control of the Stewart lands. His ability to do this must have depended on obtaining the backing of the local Ayrshire families. Given the lack of a major magnate with his political base in Ayrshire, a role played before 1406 by the head of the Stewart family, it seems likely that a greater degree of authority passed to their vassals, neighbours and officials during the Albany Governorship. In 1424 the most important of these men were John Semple who, as sheriff of Renfrew, probably commanded the resources of the Stewart regality which dominated the area, George Campbell of Loudon, the sheriff of Ayr, the Kennedies, who controlled the lands of Carrick and, in northern Ayrshire, the Cunningham and Montgomery families.[42] The long-lasting local dispute which was to take place between these latter two kindreds had not begun in 1424 but it seems likely, from the events of James' early reign, that a degree of rivalry was already present. John Montgomery

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41 Earl Duncan's charters were witnessed on occasion by members of the Semple, Danielston and Cunningham families from the Stewartry, and the earl was on the same safe-conduct as John Semple and Robert Lyle from Renfrew in 1424 (*Lenn. Cart.*, 71-73; *C.D.S.*, iv, no. 942).
42 *Laing Chrs.*, nos. 94, 100, 105; *R.M.S.*, ii, nos. 378, 380; S.R.O., GD 3/1/111.

of Ardrossan was bailie of the crown's lordship of Cunningham in 1424 but his position may have been under pressure. Robert Cunningham of Kilmaurs was a frequent councillor of Murdac in the early 1420s and his cousin Archibald was sheriff of Stirling.[43] A third member of the family, Humphrey Cunningham of Auchtermachane, was also in attendance on Murdac as Governor, and this connection may reflect an attempt to gain the Duke's support in northern Ayrshire. That Montgomery was named as a hostage in the Treaty of London suggests that a change was being planned in the administration of crown lands in Ayrshire.[44] James however removed John Montgomery from the list of hostages, a move probably designed with the re-establishment of royal control over the Stewartry in mind. There are clear indications, though, that tension between the Montgomeries and Cunninghams was to continue in the opening year of James' reign and that the King or at least some of his councillors were drawn into the issue.

It was presumably to establish personal contact with these influential local families that James visited Ayr in 1424. However as well as the restoration of royal control over lands which he had been granted by his father, James had a more specific purpose. Interestingly, this was not the creation of a Stewart principality to be employed as a power-base and from which the kingdom could be governed. This was the way the area had been viewed by Robert II and Robert III. James saw the estates of the crown in the south-west as a source of military manpower and it was for this reason that he was anxious to reach an understanding with his vassals in the area in October 1424. It was a force of men from these lands led by

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43 *R.M.S.*, ii, nos. 9, 169; Fraser, *Douglas*, iii, no. 60; Fraser, *Elphinstone*, ii, 226-28; *H.M.C.*, v, 633; S.R.O., GD 16/3/8; RH 6/252; *A.B.Ill*, iii, 587.
44 *Rot. Scot.*, ii, 241-43; *C.D.S.*, iv, nos. 942, 952.

Montgomery, Semple of Eliotstoun, Cunningham of Kilmaurs and his cousin Sir Humphrey, which was sent to put down the Lennox rising in the summer of 1425.[45] That the King was able to employ such a cross-section of the main families from the Stewartry and trust them in this vital role suggests that he had been successful in re-establishing the crown's control of the Ayrshire estates. This success may have been the result of the local importance of the King's patronage. With James clearly established in control of central government by October it seems likely that the Ayrshire landowners would themselves be anxious about their positions in the aftermath of the Albany Governorship. Men like Montgomery and Semple would have wished to continue to enjoy the administration of royal lands, and Cunningham may have renewed his attempt to obtain a share of the King's patronage, as he was one of those knighted by James at his coronation.

It is interesting however that in October 1424 the King did not use any of these major families to provide him with military backing. Instead it seems probable that it was at this point that James called upon the services of his bastard half-uncle, John Stewart of Dundonald. This possibly indicates that the King preferred to trust his kinsman rather than one of the more powerful Ayrshire landowners. However the choice of John Stewart for the task of defending the burgh of Dumbarton in late 1424 seems, at first sight, to be an unusual one. Stewart had been an auditor of the Exchequer under Duke Robert from 1402 to 1408 and subsequently married to Elizabeth, the daughter of William Graham.[46] This would seem to suggest a strong involvement in the administration of Duke Robert and perhaps also in the Lennox faction against which he was being sent in October.

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45 *Scotichronicon*, XVI, Ch. 11, l. 1-5.
46 *E.R.*, iii, 539, 558, 564, 583, 590; *E.R.*, iv, 1, 35, 40, 64, 254; *R.M.S.*, i, nos. 874, 900.

Stewart of Dundonald's real position was, however, one of complete dependence on the crown. His father, Robert II, had granted him lands in Perthshire and perhaps also the keepership of the royal castle and lands of Dundonald.[47] Dundonald was a frequent royal residence during the reigns of Robert II and Robert III and it was possibly connected to his role there that he received sizeable annuities from the customs.[48] Thus John, also known as the 'Red Stewart' was a man whose career had been based on service to the crown in Ayrshire. That, like Cunningham, he was knighted at the coronation, may indicate that James had a strong personal bond with his uncle dating from 1404 to 1406 when, as Prince and Steward of Scotland, he probably resided in the Stewartry.[49] James may therefore have seen John Stewart as a close retainer of the crown who could be trusted to uphold the royal position in the Lennox. The Sir John Stewart who was present with the King and his council at Ayr on 25 October was almost certainly Dundonald, and his involvement in the King's discussions was probably connected with his defence of Dumbarton the following year.[50]

If James commissioned Stewart of Dundonald to recruit a military force in the immediate aftermath of the arrest of the Earl of Lennox, his role may well have been to take possession of Dumbarton castle and use it as a base to control the surrounding area. The position of Dumbarton castle in the period between Walter's arrest in May and the appointment of a new keeper, paid from the feast of St. Martin,

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47 *E.R.*, iv, clxvii.
48 *E.R.*, iv, 2, 52, 75, 364, 345.
49 *Scotichronicon*, XVI, Ch. 10, l. 29-31.
50 *R.M.S.*, ii, no. 12; *Scotichronicon*, XVI, Ch. 10, l. 39-40. Of the two other sons of Robert II who could possibly be identified as the Sir John Stewart in this case, Stewart of Cardney was unlikely to be so far from his Perthshire lands and Stewart of Bute was probably not a knight.

11 November, is not clear.[51] It seems most likely that, during this period, the castle was in the hands of Duncan, earl of Lennox, and the King could have only regained its possession by an open clash with the earl. Such a clash would seem unlikely before Verneuil, but tension over the fate of Dumbarton and its possible value as an entry port for French intervention may have been a factor in James' arrest of the earl. John Stewart of Dundonald was probably sent to the Lennox, where he was an active commander for the King in the next year, between 25 October and 11 November. Before the latter date he had probably been sufficiently successful in gaining possession of Dumbarton for James to have appointed a new custodian of the castle.

That John Stewart was not paid as keeper and that the following year he was killed in defence of the burgh of Dumbarton, rather than the castle, may indicate that he had a more general role in the Lennox. Instead James appointed John Colquhoun of Luss the keeper of the castle. In making this choice, the King was probably anxious to employ a man with sufficient local resources to provide an effective defence of the stronghold over a long period. Colquhoun was certainly an influential figure in the Lennox where he held two lordships. Luss, on the western shore of Loch Lomond, and Colquhoun. The lands of Colquhoun lay just to the east of Dumbarton and were centred on castles at Dunglass and Milton.[52] These estates would presumably provide a source of manpower and supplies for the defence of the castle.

Moreover the choice of a local landowner in a post which was a traditional prerogative of the Lennox men would not create additional problems for the King in his relations with these locals. However,

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51 *E.R.*, iv, 390. Colquhoun was paid for six months, presumably the period from November to May 1424-5 as he received half the annual fee of Walter Stewart.

52 W. Fraser, ed., *The Chiefs of Colquhoun and their Country*, 2 vols (Edinburgh, 1869), ii, 6-67.

in the face of a revolt, the King's primary consideration was the loyalty of any new keeper at Dumbarton castle. Colquhoun's father had been a regular councillor of Earl Duncan of Lennox in the 1390s and 1400s but there is less evidence of a close relationship between John Colquhoun and the earl.[53] That a planned marriage between John and Duncan's widowed daughter, Margaret, in 1411 was not carried out, despite the earl's waiving of any marriage due, may suggest problems in the relationship between the two men.[54] Significantly Colquhoun was not involved in the group of men around Lennox and Walter Stewart in August 1423, and it is conceivable that it was hostility to Walter's local importance which was behind John's support of the King in 1424-5. That John was trusted sufficiently by King James to be made keeper of Dumbarton castle must be an indication that he was not associated politically with Duncan or Walter. It is even possible that the keepership of the castle was a reward for Colquhoun's support of Stewart of Dundonald's operations in the Lennox. There is a Colquhoun family story about a Lord of Luss successfully recapturing Dumbarton castle for the King, and this could fit in with the circumstances of 1424.[55]

If John Stewart and Colquhoun of Luss were involved in action to secure Dumbarton castle and burgh in early November, it is likely that the King was anticipating an outbreak of unrest in the area following the arrest of Earl Duncan. However there is only limited evidence of such trouble in the Lennox prior to March 1425. This may have been due to the King's successful removal of the potential leaders of a revolt in the Lennox. The arrests of Duncan of Lennox and Walter Stewart removed the earl and his political heir and made a

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53 *Lenn. Cart.*, 60, 65, 72, 73, 74, 77, 78; Fraser, *Lennox*, ii, no. 43.
54 Fraser, *Lennox*, ii, no. 42.
55 Fraser, *Colquhoun*, i, 7.

unified revolt in the area much more difficult. In charters of Earl Duncan and his father, the military role of the earl was still stressed and, in combination with his landed position, this would have allowed the "army of the earldom" to be mobilized in revolt.[56] Without these men the chances of a co-ordinated revolt of the Lennox against James were greatly reduced. The death of William Graham and the arrest of his brother, Robert, probably ended the involvement of the influential Graham family in action against the King. That the Grahams never openly opposed the King is suggested by their relatively moderate treatment and this limited the effects which trouble in the Lennox would have caused in the kingdom as a whole.

It is in the light of this lack of leadership that the extent of the unrest faced by James in the Lennox must be gauged. The apparent need to raise troops and employ leaders to ensure control of Dumbarton suggests that, in October 1424, James could not be sure of this stronghold. The success with which his local supporters were able to extend this control towards Loch Lomond and the political centre of the earldom of Lennox is not clear. It certainly seems unlikely that the earl's castle of Inchmurrin in Loch Lomond was in royal hands, as in March 1425 the castle was able to serve as a refuge for James Stewart, the last son of Murdac to remain at liberty. It was to be "held in support" of James Stewart until June 1425, and unless it had been retaken by Lennox rebels it was probably outside the King's control in the last months of 1424.[57] The King's efforts to take Dumbarton, a royal castle, and the apparent lack of royal influence in the Lennox heartlands may reflect a reluctance to interfere in lands to which Murdac was heir, but the active rebellion of 1425 was clearly based in these areas. It seems likely that a

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56 *Lenn. Cart.*, 8; Fraser, *Lennox*, i, 246.
57 *Scotichronicon*, XVI, Ch. 11, l. 4.

body of men in the Lennox was already holding Inchmurrin and perhaps other Loch Lomond islands in opposition to the crown as a result of the King's attacks on the local faction assembled in 1423 by Walter Stewart and his political allies.

The identity of the men who had taken up arms in the absence of their natural leaders is, like their actions before May 1425, obscure. However, in the aftermath of the rebellion there are references to the involvement of at least two men with sufficient stature in the earldom to maintain some kind of resistance around Loch Lomond. The first of these, John Macalpin, is mentioned as a rebel in the returns of the bailies of Dumbarton in 1427 and 1430.[58] In this reference he is named as *dominus* which presumably indicates both his status and a connection with the Macalpin family who were long-standing vassals and kinsmen of the Lennox earls.[59] John was probably identical with the chaplain of that name who was presented with the church of Luss by John Colquhoun before being deprived for simony in 1419.[60] Thus John Macalpin was closely involved in the Lennox area prior to 1424-5, and from the financial returns of 1427 and 1430 it is clear that he held lands in the burgh of Dumbarton. Although his forfeiture was for the attack on, and burning of, that burgh with James son of Murdac, it is likely that Macalpin's attachment was to the Earl of Lennox and that he was a party to any earlier resistance to the King.

This also applies to Thomas of Lennox, one of Earl Duncan's natural sons. There is no reference to Thomas' actual involvement in the rebellion. However in a grant from James I in 1436, the lands of Ballat in the western Lennox are described as having lapsed to the

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58 *E.R.*, iv, 493, 524.
59 For the links between the Macalpins and the Earls of Lennox, see *Lenn. Cart.*, 76; *C.D.S.*, iv, 144.
60 *C.S.S.R.*, i, 103, 191.

crown by reason of the forfeiture of the late Thomas of Lennox.[61] The most obvious occasion for this forfeiture was in the aftermath of his father's execution and the revolt of the Lennox. If this was the case then Thomas may have provided a less influential substitute for Earl Duncan, able to hold out on Inchmurrin and possibly raise support for his father in the earldom. Thomas and two of his brothers, Donald and Malcolm, all attended the meetings of Lennox, Walter and William Graham in August 1423 and were probably therefore involved in the political activities of this group in the subsequent six months.[62] As James' arrests in 1424 had all been directed against the leaders of the Lennox faction, it is quite likely that Thomas of Lennox led a local reaction to the King's actions. It is also possible that at least two of Thomas' brothers participated in the revolt. There is no mention of Malcolm of Lennox after 1423 and, like Thomas, he may have suffered forfeiture and passed into obscurity following the revolt. However, Donald, who held lands from his father at Balcarroch near Campsie, was in the Scots force at Orléans under John Stewart of Darnley in 1428.[63] Moreover he survived the subsequent destruction of Darnley's troops at Rouvray the next year and was back in Scotland by 1444 to have his local position confirmed or restored by his half-sister, Isabella, duchess of Albany.[64] It is possible that Donald's service in France was a result of his family's dramatic fall and his corresponding lack of prospects. Significantly, a fourth of Earl Duncan's bastard sons, William, was a "servant and familiar" of the Scots Bishop of Orléans, John Kirkmichael, in 1435. Like Donald, William also returned to Scotland after 1437 and was in attendance on his sister in 1445

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61 S.R.O., RH 6/293.
62 N.L.S., Ch. no. 20001; Fraser, *Lennox*, no. 215.
63 N.L.S., Ch. no. 20001; W. Forbes Leith, *The Scots Men at Arms in France*, i, 157.
64 N.L.S., Ch. no. 20001.

before becoming a Canon of Glasgow.[65] That both Donald and William embarked on continental careers which took them to Orléans and that both returned to the Lennox in the 1440s suggests that they were political exiles during James' reign, perhaps as a consequence of their involvement in the Lennox revolt. The sons of Earl Duncan would have been natural rebels in late 1424. They may have been employed as the earl's local deputies and have had access to his castles. They were certainly tied closely to the earl and his political fortunes, and had more to lose by his fall than more established Lennox families like the Buchanans and Galbraiths. That the Buchanans, who were equally involved in the Lennox faction in 1423, do not seem to have suffered greatly in 1425, may indicate that, following the removal of the earl and Walter, they were not prepared to commit themselves to further resistance to James. If Sir Walter Buchanan was still involved in the defence of Dumbarton castle in 1424, his reluctant attitude could explain the successful occupation of the castle and burgh by the King's supporters.[66]

It seems likely therefore that, as a result of James' arrests of the main figures of the earldom in 1424, a situation of tension existed in the Lennox over the winter of 1424-5. Given the political connections of those involved in this tension it is hard to believe that they accepted the seizure of their earl without taking action, only to rise in revolt after the arrest of Albany, a man at odds politically with the leaders of the local community. The revolt prior to March 1425 may only have consisted of local defiance of the King from Inchmurrin, but it is probable that James was not able to exercise any effective control beyond Dumbarton during the winter.

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65 J.H.Burns, 'Scottish Churchmen and the Council of Basle' in *Innes Review*, 13 (1963), 3-53, 35; S.R.O., GD 124/1/425.
66 Buchanan had received payments for keeping the castle, probably as Walter Stewart's deputy, until 1420 (*E.R.*, iv, 319).

The position of Duncan, earl of Lennox, at this time cannot have been comfortable, and it may have been in the hope of winning a degree of favour that he made a grant of the rights of patronage to the hospital at Polmadie near Glasgow to Bishop William Lauder.[67] The church of Glasgow had claimed these rights from at least 1404, though it was Duncan who had disposed of the hospital in 1420. Although the issue is described by the earl as "touching his conscience" it seems more likely that worldly motives predominated at the grant. The grant is included in a *conventio* of 7 January 1425 in the west chapel of Edinburgh castle as a result apparently of an approach made by Duncan to the Bishop. As he was in the custody of Robert Lauder, Lennox may have seen the Lauder family as his main enemies on the royal council, and was therefore attempting to reach an arrangement with them to improve his own chances of survival. This would seem to suggest that Duncan was still thinking in terms of his possible release, perhaps because of the difficulties the King was experiencing in running the Lennox in his absence. However despite this resignation, it seems clear that no moderation of royal policy was considered at the beginning of 1425. That Sir John Stewart, presumably the King's chief agent in the Lennox, was at the meeting of James' council on 30 December, may indicate that James was anxious to keep in touch with events in the area.[68]

While the apparently escalating hostility of the King towards the Lennox faction must have been a source of anxiety for Murdac as another of his close kinsmen was detained, in the light of the political alignments of 1423-4, the duke may have been more concerned with the fate of the estates of John, earl of Buchan. It is possible that the King's exploitation of Buchan's death at Verneuil was to

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67 *Glas. Reg.*, ii, no. 344.
68 Tytler, *History of Scotland*, iii, 218.

place new strain on the relations between Albany and his major remaining ally, Alexander, earl of Mar. Similar to the succession of the 5th earl of Douglas, the death of Buchan must have created problems for those close in terms of blood and politics to Earl John. However, unlike the Black Douglas estates, the lands of Buchan were a recent creation. In addition, the earl left only a young daughter, Margaret, as an heir of his body.[69] By the entails specified in the various grants made to John from the 1390s onwards, Margaret did not directly inherit any of the earl's major estates. Instead they were to pass to either Buchan's widow, Elizabeth, daughter of the 4th earl of Douglas, or to Robert Stewart, John's younger brother. The Countess of Buchan was to receive a group of estates granted jointly to her and her husband by their respective fathers as part of the marriage settlement.[70] The bulk of John Stewart's lands, and most importantly the earldoms of Ross and Buchan and the lordships of Coull, Aboyne, O'Neil and Kingedward, were supposed to be inherited by Robert Stewart.[71] Thus according to the arrangements made by Duke Robert of Albany, there was a clear successor to John Stewart's landed position in the north-east in the shape of his younger brother Robert.

It seems likely however that, on the death of John, earl of Buchan, the King intervened to prevent this succession plan being put into action. As part of this scheme, James may have altered the estates destined for his niece, Countess Elizabeth. The lands of Stewarton in Ayrshire, granted by the 4th earl to John and Elizabeth to be held by the survivor for life, were in the King's hands in 1427, and Dunlop, Traboyack and Ormisheugh were probably dealt with

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69 *S.P.*, ii, 265.
70 *R.M.S.*, i, nos. 945, 946, 947, 948, 949.
71 *R.M.S.*, i, no. 843, app. ii, nos. 1976, 1977; *S.P.*, ii, 264.

in the same way.[72] As Stewarton and Dunlop were in the King's lordship of Cunningham and Traboyack and Ormisheugh in his earldom of Carrick, James may have claimed that they had been illegally alienated by Douglas and may have re-established control over the lands during his visit to Ayr.

The inheritance of Robert Stewart was clearly of greater importance to the King and he seems to have taken decisive action over it. The evidence of such action is, however, negative. There is no indication that Robert Stewart acquired either of the earldoms held by his brother nor that he received possession of any of the lands to which he was entitled after Verneuil. That, after the execution of Murdac and his sons in 1425, Robert was allowed to remain alive and unharmed in Scotland also suggests that he was not a significant figure and that he played no part in politics during the destruction of his closest male kinsmen. For the rest of the reign, the lands which Robert could have claimed were in the possession of the crown or were disposed of by James, and the payment of £13 6s 8d to Robert in 1428 as an annuity, perhaps in return for his claim to Ross, may have been the only tangible benefits received by Robert for his brother's inheritance.[73]

As any claims to the Earl of Buchan's estates must have been put forward by Robert in the immediate aftermath of Verneuil, James' intervention may have occurred in the autumn of 1424, perhaps about the same time as his similar involvement in the Douglas succession. The King's refusal to implement the entail of the various lands to Robert Stewart must have had an impact on his relations with Murdac. Not only were these estates granted by his father to his brother and were therefore, in a way, part of the Albany Stewart patrimony, but

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72 *R.M.S.*, ii, no. 77.
73 *E.R.*, iv, 470, 500, 532.

the succession of a new Earl of Buchan was very much in the duke's interest. John Stewart had been a political ally of the duke in 1423-4 and it seems reasonable to assume that Robert would continue in this role. As a major landowner in the north-east he would have reinforced Murdac's existing support in the area via his links with Mar. The King's refusal to allow Robert control of Buchan's lands was presumably undertaken with this in mind and may have been justified by raising questions about the initial grant of Buchan to John Stewart after the death of the "Wolf of Badenoch". Whatever Murdac's reaction was to James' treatment of Robert, it clearly had no effect and the King was able to establish theoretical control over Buchan's northern estates.

It may have been his rejection of the Albany Stewart claims to the inheritance of the Leslie earls of Buchan and Ross which prepared the way for James' apparent understanding with Alexander, the MacDonald lord of the Isles. This was to be reflected in the appearance of Alexander on the assize which condemned Duke Murdac in May 1425.[74] This involvement in central politics was probably based in part on the long-standing hostility existing between the Albany Stewarts and the Lords of the Isles over the earldom of Ross, but it must also have been the product of negotiations between James and Alexander. It is possible that, having rejected the claims of Robert Stewart to Ross, the King tacitly accepted MacDonald control of the earldom. This agreement could have been reached before the parliament of March 1425, when James' relations with "hieland men" were certainly under discussion.[75] That Bower described MacDonald as "Alexander of the Isles, of Ross" on the Albany assize and gave him the rank of earl is clearly an indication that the King had

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74 *Scotichronicon*, XVI, Ch. 10, l. 58.
75 *A.P.S.*, ii, 8, c. 25.

recognised the lordship's right to Ross in some form by May 1425.[76] According to the sixteenth and seventeenth century *Book of Clanranald* such an act of homage was performed to James:

> On the return of King James the first from the captivity of the King of England, Donald of Isla obtained the King's goodwill and confirmation of Ross and the rest of his inheritance, and Duke Murdach and his two sons were beheaded.[77]

Although it wrongly names Donald as lord when James returned, the *Book of Clanranald* does indicate some kind of crown lordship alliance against the Albany Stewarts.

The actual tenure of the earldom seems to have rested in the hands of Mary Leslie, perhaps from before 1420. In that year she was holding court at Rosemarkie, the ecclesiastical centre of Ross, and using the title of "Lady of the Isles and Ross".[78] The presence of major landowners from the lordship, like MacIain of Ardnamurchan and MacLeod of Glenelg, and of a number of local lay and ecclesiastical figures, suggests that MacDonald control of the earldom was well established and accepted by 1420.[79] Such acceptance may have been based on Mary's rights as the Leslie heiress, and in adopting the title of Lady of Ross, Mary may also have respected the position of Euphemia, her niece, who was safely in a nunnery.[80] The possible success of Mary's 'legitimist' pose compared with the dubious methods of the Albany Stewarts may have encouraged James to see the continued

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76 *Scotichronicon*, XVI, Ch. 10, l. 58. However, Alexander was not subsequently accorded the rank of earl until possibly as late as 1437, and Bower may be inaccurate, though such an inaccuracy would be unusual in book XVI of the *Scotichronicon* (Munro, *Lord of the Isles*, no. 23).
77 A. Cameron, *Reliquiae Celticae*, eds., A. MacBain and J. Kennedy, 2 vols (Inverness, 1892-94), ii, 161.
78 Munro, *Lords of the Isles*, no. 20.
79 Munro, *Lords of the Isles*, no. 20; those attending included the Earl of Moray, the Bishop of Ross, Fraser of Lovat, Rose of Kilravock, Sinclair of Deskford and the Thane of Cawdor.
80 *S.P.*, vii, 243.

administration of Ross by Mary Leslie as an acceptable compromise.[81] That in June 1426 and again a year later Alexander used the title, "Lord of the Isles and Master of the earldom of Ross" may indicate the legal position agreed with the King in 1424.[82] It may also explain Bower's mistake in making Alexander earl of Ross. It is probable that at the same point Mary began styling herself as Countess of Ross.[83]

The readiness of James to accept the MacDonalds' position in Ross may have been due to the need for a means to reject the Albany Stewart claim to the earldom. By recognising Mary's rights in late 1424 James could prevent Robert Stewart gaining Ross and raise sufficient doubts about his claim to Buchan, Kingedward and the other Leslie estates to retain control of them. However, James' deal with the lordship reflected a reversal of central government policy and may have been due to the difference in his attitude towards the lordship compared with the Albany Stewarts, based on the long-standing links of the western power-base of the Stewarts with the MacDonalds.[84] This change in the attitude of the central administration towards the Lord of the Isles had serious repercussions for the relationship between James and the north-

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81 It also had the advantage of maintaining a separation of Ross from the lordship.
82 *C.S.S.R.*, ii, 133; Munro, *Lords of the Isles*, no. 21.
83 *Scotichronicon*, XVI, Ch. 15, l. 26-7.
84 The first two Stewart Kings with their strong territorial links to the west coast seem to have maintained close relations with the lordship. Robert II's daughter Margaret was John, lord of the Isles' wife, and the mother of Donald of the Isles. The co-operation of the Stewarts and the lordship in 1369 reflects the political alliance between these western neighbours. That in 1407, Hector MacLean of Duart, a nephew of Donald, was sent "to have colloquy with his liege lord the King of Scotland" during James' captivity may be the continuation of this alliance. Donald may even have been seeking English intervention on James' behalf in the years before Harlaw as a means of pressing his own claims to Ross. The seventeenth century *History of the MacDonalds* claims that Donald's support of James was the reason for Albany Stewart hostility towards the lordship. These possible links from his period in England may have coloured the King's attitude in 1424-5 (*C.P.R.*, iii, 363; *H.P.*, i, 28).

eastern landowners whose estates bordered the areas of the lordship's influence.

The full effect of these repercussions was only to be felt in the aftermath of the Albany executions, but it seems likely that the King's relationship with Alexander of the Isles had an immediate impact on the position of the Earl of Mar. As we have seen, Mar had built up his local predominance in a period of major friction between the central government and the lordship, and his value to both the Albany Governors and the north-eastern political community was in his ability to defend the lowlands against incursions from the west. The reduction in Mar's importance to the crown had probably already been indicated by the loss of the large-scale payments which the earl had received from the customs under the Albany Stewarts. It seems equally likely that James had not entered into any kind of renewal of the 1420 indenture between Mar and Murdac. Thus in the summer of 1424, Mar had been deprived of support from the central government. Probably this did not immediately weaken his hold on his Aberdeenshire affinity, as it must have been apparent that the King's alliance with the lordship and mistrust of Mar made the latter's role even more important locally. In terms of local predominance, the rise of the lordship must have been another cause of concern for Mar. Since at least 1412, Mar had represented the Albany Stewarts in their attempts to control the Leslie inheritance and the King's acceptance of MacDonald control of Ross must have made the earl worry about possible grants to the lordship further east. Mar must have feared that lordship possession of Kingedward or Buchan would make his weakened position untenable and that, in any case, he would be unable to resist pressure from raiding without central government support. Even James' takeover of the estates of the Earl of Buchan may, in the circumstances, have appeared as a threat to Mar's prospects.

Therefore in late 1424 it was a guarantee of his local security which Mar needed. He had entered into a political arrangement with Murdac presumably to defend his position at court. However by December 1424 this association may have appeared as an embarrassment rather than a source of strength. The inability of the duke to prevent James from disposing of Buchan's estates as he wished must have revealed the limits of Albany's influence to Mar. It seems likely that, near the end of 1424, Mar decided that he needed to reach some form of accommodation with the King if he was to protect his political position. This would explain the presence of the earl at two meetings of James' council, on 30 December and 13 January at Edinburgh.[85] That at one or other of these meetings, Atholl, Orkney, Bishop Lauder and Douglas of Balvenie were present, in addition to the members of the King's daily council, suggests that these were politically important occasions.

The most pressing concern of Mar in his negotiations with James may be indicated by the fact that the earl's illegitimate son and prospective heir, Thomas Stewart, was also involved in both council meetings. The Earl of Mar was consistently seeking to secure the succession of his lands by receiving confirmations of his son's rights in the form of a royal grant of the earldom to Thomas. This had been granted by Murdac in 1420, providing royal permission could be obtained, and it was presumably the assent of James which Mar was seeking in the winter of 1424-5.[86] The weakened nature of his local position would have increased Mar's anxiety to receive a promise of a future confirmation of Thomas' rights to the earldom. Earl Alexander may also have wanted some kind of royal assurances about the

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85 Tytler, *History of Scotland*, iii, 218; *R.M.S.*, ii, no. 15. The presence of Alexander Forbes on the council in November may indicate that approaches had been made then (S.R.O., GD 119/167).
86 Fraser, *Menteith*, i, 261-2.

remaining north-eastern lands of Buchan. These were now probably in the King's hands by law, though given the importance of men like Alexander Forbes and Patrick Ogilvy in Kingedward, it seems likely that Mar exercised considerable authority in the estates. Mar must have been worried about the lands, either as patronage for the lordship or as a base for royal interference in the north. In the long term, Mar may have hoped that by reaching an understanding with James he would recover the support from central government which he had enjoyed before 1424.

Mar's appearance on the royal council together with James' main supporters suggests that an understanding had been reached between the two men. The absence of Albany from these discussions may also show that the King was loosening the ties which had bound the duke to the Earl of Mar. James must have been seeking assurances from the earl about his band with Murdac, and may have offered Mar guarantees about his local position in return for promises of support in any future clash with Albany. The appearance of Mar with a number of his local supporters on the assize which condemned the duke may have been the result of these Christmas talks and recognition by the earl that political necessity dictated a deal with James.[87] That Sir John Stewart was present at the council meeting of 30 December 1424 may show that Mar was made aware of the situation in the Lennox, which James perhaps used to justify his hostility towards Murdac.[88] Mar was probably prepared for the increase in pressure to be placed on the duke in the new year, and also for the intended eventual outcome of that pressure. James may have hoped that the combination of the threat posed by the lordship and the possibility of rewards for support of the crown would induce Mar to give backing to the King's

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87 *Scotichronicon*, XVI, 10, l. 55-66.
88 Tytler, *History of Scotland*, iii, 218.

treatment of Albany. Success in this plan may have been helped by the involvement of men like Forbes and Walter Ogilvy, who possessed strong interests in the renewed co-operation of Mar with the King.

That James was consciously attempting to undermine the position of Duke Murdac in the months following Verneuil is surely suggested by the significance of his actions for the events of 1425. James had removed potential opponents of royal aggression, Lennox by his arrest, and Mar and Douglas by deals concerning the local standing of the earls. Similarly the King's contact with his Ayrshire vassals in October 1424 may be linked to the importance of these men in his service the following year. If this was a concerted attempt by the King to undermine Murdac's links with the rest of the political community, it must be significant that there is no evidence of the Duke's reaction. There is certainly no indication that Albany was able to lead any successful opposition to the King's manoeuvres during the latter part of 1424. In the Lennox this can perhaps be explained by the split within the Albany Stewart family but his lack of success in the question of Buchan's lands suggests he was ineffective in dealing with James. Murdac may still have based his position on avoiding open conflict with the King and, as the position of the King became stronger, success in such a conflict became less and less likely.

However, by late November 1424 there may even be evidence of royal intervention in Fife when the King heard a case concerning lands in the barony of Carnbee.[89] Although these lands lay outside Albany's earldom of Fife they were probably of special interest to Murdac, as in 1394 the superiority of Carnbee had been granted by the crown to David Lindsay, the future 1st earl of Crawford.[90] In 1424

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89 S.R.O., GD 119/167.
90 *R.M.S.*, i, App. ii, no. 1703.

therefore, the lands were presumably under the superior lordship of Murdac's ally, Alexander, earl of Crawford, who was a hostage in England. The appeal was made by Crawford's vassal in Carnbee, James Melville, and concerned the lands of "Schelhil" in the Mains of Carnbee. These had been given by an inquest held by John Lumsden, sheriff of Fife, to Melville's neighbour, William Oliphant of Kellie. The King's privy council, however, ruled that the inquest had been in error and James reversed its decision ordering the imprisonment of Oliphant of Kellie, Lumsden and others present on the inquest. There is a strong temptation to see this as a political act by the King aimed at embarrassing Duke Murdac further. The men who heard the appeal with James represented a large cross-section of his support, including Douglas and Lauder adherents as well as the group of Orkney, Douglas of Balvenie and Livingstone. The presence of Bishop Wardlaw who was not a close associate of the King may have also been deliberate, aimed at giving the council local credibility by involving the main rival to Albany in terms of land in Fife. That Albany, who must have had a strong interest in the case, was not included must have been a deliberate move by the King. At the least, James was taking advantage of a convenient appeal from Fife in lands which belonged to Crawford, and for which Murdac may have felt some responsibility in Earl Alexander's absence. The King may well have been seeking to undermine the influence of the Duke in his own power-base and may have used the opportunity to seize and imprison men who were his vassals. With the exception of Oliphant and Lumsden, the identity of these men in unknown, as is the length of their detention but, in the case of John Lumsden at least, it may have proved effective. Subsequent events suggest that, despite his long period as sheriff and connection with the Albany administration of Fife, Lumsden did not provide Murdac with his backing in 1425. Lumsden's

attitude may have been the result of being placed in the King's hands the previous year.

ii. The "Royalist Revolution"[91]

The King's meeting with Mar at Christmas 1424 probably indicates that he was preparing to continue this undermining of Murdac's position in the new year. It was probably clear to both James and Albany that the parliament due to meet in March 1425 was the obvious forum for any political action. The meeting of the estates had probably been called in the previous year in connection with further taxation for the King's ransom and the collection of the first instalment, which was completed on 26 March 1425.[92] The parliament may therefore have been summoned for this purpose during 1424. However in the circumstances of increasing tension which must have existed between the King and Albany, the meeting took on a new significance.

James probably intended to use the parliament as a further opportunity to isolate Murdac and place increased pressure on the duke. The King may have hoped to achieve this by obtaining parliamentary support for a trial of Walter Stewart. Walter had been in custody for ten months and the King could hardly detain him indefinitely without a clash with Murdac. He may therefore have taken the decision to put him on trial. That, in the event, Walter was tried separately from Albany and Lennox and on charges reported by Bower, who was less clear on the reasons for the execution of the second group, may also indicate that a prepared case was brought against Walter in the March parliament.[93] Given Walter's poor relations with Mar and the ambiguous position of Duke Murdac, James may have believed that he possessed the backing to achieve this aim. It seems unlikely, however, that the King went to Perth for the

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91 Nicholson, *The Later Middle Ages*, 287.
92 Duncan, *James I*, 7.
93 *Scotichronicon*, XVI, 10, l 43-54.

parliament with the specific intention of seizing the duke and his family and estates. If he had done, he would hardly have waited for the ninth day of the meeting before arresting the duke.[94] Although this would have made it possible to conclude the main business of the parliament, the risks of Albany receiving word of James' plans were surely too great for the King to have delayed so long. The escape of one of the duke's sons was to cause James considerable local difficulties; if Murdac had remained at liberty he could have raised a major rebellion in connection with the Lennox. The King must have been aware of this danger, and would not have risked the duke's escape by delaying once he had taken the decision to arrest the Albany Stewarts. It seems likely therefore that Murdac's arrest was the result of events at the parliament and, although the speed of the King's reaction suggests that he was well aware that his treatment of Walter could provoke Murdac into open opposition, James had probably not gone to parliament with a set plan to arrest the duke at the meeting.

Given the events of the previous year, however, Murdac can hardly have been unprepared for the King's hostility or even his desire to remove the duke from the political scene. It must have been something of a risk for Albany to attend the parliament. His reasons for doing so can only have been based upon a desire to continue to exert an influence on the political community. He had not been on the King's council since early June 1424 and may have been out of touch with many of the other members of the nobility since that point.[95] If he was to maintain or recover an influential position under royal pressure, Murdac may have felt it essential to

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94 *Scotichronicon*, XVI, 10, l. 1-4.

95 It is possible that, if James was at Stirling in October 1424, Albany was also present as keeper of the castle (*R.M.S.*, ii, nos. 27, 28, 29; *E.R.*, iv, 398).

go to Perth for the parliament. The future of Walter and Duncan of Lennox must have been an additional consideration. His presence would guarantee them a degree of protection. The duke's aims may have been primarily concerned with the Lennox, an area to which he was heir, and he was conceivably pressing for a settlement of the dispute in which he could appear as the "honest broker". There must have been some doubts about the continuing trouble in the Lennox among the political community and Albany probably hoped to harness such worries. In addition to these reasons for his attendance at the parliament, the duke may have had an exaggerated belief in his safety. The King could hardly achieve a quiet arrest at Perth in front of the whole political community, and would risk a clash with the estates which he could not afford. The previous arrests made by James and the coups of 1402 and probably 1384 and 1388 had all been achieved at private meetings and only presented to the three estates as a *fait accompli*. This would not be possible if Murdac was arrested at parliament.

There are certain indications from the records of the March 1425 parliament that there was friction between the King and elements in the estates which could have precipitated the arrest of Murdac as the possible figurehead for any opposition. The failure of parliament to pass any new grant of taxation may reflect this. However, the most obvious manifestation of parliamentary criticism was the act which informed James that,

> the parliament thinks it spedeful that quhar the King giffs remissione with condicione, that he sall assythe the party scathyt and pleanand that consideracion salbe had of the hieland men, the quilkes befor the Kingis hame cumyng commonly reft and

> slew ilk ane uthere of the quhilk (crimes) thare may not be a full assythe til utheris.[96]

Rather than being a general criticism of remissions, this act goes on to admit the validity of the practice in the lowlands. Instead "the parliament" is informing James of the distinction between highland and lowland society. The local origins and effect of this legislation will be considered later, but in the circumstances of March 1425 it appears as a criticism of James' good relations with the "hieland men" in the person of the Lord of the Isles. It seems unlikely that the lord was at parliament, but his enemies may have taken the opportunity to try to distance the King from the lordship. The Earl of Mar was probably closely connected to such a demand, but it is quite possible that Albany was also involved. Murdac had seen the earldom of Ross pass from his family to the lordship after a twenty year dispute and would have shared Mar's hostility towards Alexander of the Isles. At the same time Murdac may have hoped to renew his political links with Mar by co-operating in this criticism of James.

Any co-operation of this sort must have put the King in a difficult position. He had worked to split Albany and Mar by using the threat presented to the latter by the lordship, and he must have been worried about driving them closer together instead. James still had control of the financial and landed patronage which Mar needed to maintain his position in Badenoch and Urquhart, and this may have prevented the earl from becoming too closely associated with Duke Murdac. However the fact that this parliamentary advice to the King was included in the legislation of the meeting is evidence that James was forced to acknowledge the demands of Mar and other north-eastern landowners.

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96 *A.P.S.*, ii, 8, c. 25.

It would be interesting to know if any similar debate took place on the subject of the Lennox. If the area was continuing to show signs of unrest there may have been pressure on James to negotiate with the rebels and even to release Earl Duncan to end the rebellion. Such an idea may have been put forward by Albany, hoping to combine with Mar in a general attack on James' policies. However, the lack of any evidence of a debate on the subject resulting in legislation being passed suggests that the King was not prepared to give in on the issue, and indeed it may have been at this point that he called for Walter to be put on trial.

Some of the acts of the parliament bear out the idea that James was under pressure and was seeking to reinforce his position. The general desire of the estates for "the quiete and gud governance of the realme" may have been made in the hope that a clash could be avoided.[97] More specific was the act in which the King forbade "ony liges or bandes amongst his lieges in the realme. And gif ony has bene maid in tym bigane at thou be not kepit na holdyn in tym to cum".[98] Given the King's attempts to isolate Murdac in the previous six months, this act was probably aimed at the links forged by the duke since 1423. It may have specifically been to warn Mar against maintaining his links with the duke or entering into any new arrangement after the criticism of James' relations with the "hieland men". The direct relevance of this act may have been made plain after the King's seizure of Duke Murdac when it would act as a restraint on potential supporters of Albany. It may be significant that this piece of legislation is issued in the name of "the Kyng and the haill parliament", as is another act suggesting friction between James and part of the political community. This second law is

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97 *A.P.S.*, ii, 7.
98 *ibid.*, ii, 7, c. 5.

directed against "leising-makars and tellers of thai the quhilk may ingener discorde betuix the King and his pepill".[99] This suggests that James was concerned about the dangers of popular opposition to him, though it is not clear whether this means within parliament or in the kingdom as a whole. It may be that the joint responsibility of the King and his whole parliament ascribed to these laws is stressed because they were issued after Murdac's arrest and were designed to prevent large-scale disturbances occurring as a result. In these circumstances it would be highly desirable to stress that James enjoyed the united support of parliament against leagues of nobles or their propaganda.

That legislation was also passed which extended the powers of the King in dealing with rebellion must have been equally ominous for Albany. The new law places the penalty of forfeiture on anyone who "wilfully sall resett, mayntene (or) ... do favour till openly and manifest rebellours agayn the kyngs maieste".[100] This may have been the response of the King to any attempt by Murdac to persuade James to reach a settlement with Earl Duncan and his opponents in the Lennox. Under the new law the duke's efforts on behalf of these men may have been punishable by forfeiture as doing favour to rebels. It may also have been part of an attempt to implicate Murdac in the activities of the Lennox and associate him with Walter and Duncan. There is certainly evidence that, after the Lennox revolt flared up in May 1425, James attempted to present the rebellion as part of an Albany Stewart conspiracy, and in March the King may have used the new law to give Murdac the choice of acquiescing in the trial of Walter or facing arrest. The seizure of the duke and a number of his kin and supporters on 21 March, the ninth day of the parliament, may

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99 *ibid.*, ii, 8, c. 22.
100 *ibid.*, ii, 8, c. 15.

therefore have been the result of Albany's persistence in trying to negotiate a settlement of the unrest in the Lennox and from his opposition to any trial of Walter.[101]

Along with Duke Murdac and his son Alexander, the King arrested the duke's secretary, Alan Otterburn, and Sir John Montgomery of Ardrossan.[102] It is reasonable to assume that these arrests were bound up with the attack on the Albany Stewarts. In the case of Otterburn such a link is clear. As the secretary of Murdac during his governorship and in regular attendance on the duke's council, Alan must have possessed an intimate knowledge of his master's business. James may have been looking for conclusive evidence of Murdac's guilt, either in the form of close connections to the Lennox or illegal actions during his period of office.

As, like Otterburn, Montgomery was detained for a period and then released without trial, it may be that he was also expected to furnish evidence of Murdac's guilt. However, Sir John was clearly not bound to the duke in the long-term. Following his release from custody, Montgomery appeared on the assize which condemned Murdac and he then participated in the expedition which suppressed the Lennox rebellion.[103] Such roles indicate royal trust in Montgomery during James' final attacks on the Albany Stewarts. It is possible that John was simply too slow in dissociating himself from the duke at the March parliament and suffered royal displeasure as a result. However it seems more likely that Montgomery was singled out by James because of his position in the Stewartry. As bailie of Cunningham under Murdac, Montgomery may have been suspect in the eyes of the King. Given his use of Ayrshire landowners as military manpower, James was probably anxious to ensure the loyalty of these men. He possibly

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101 *Scotichronicon*, XVI, Ch. 10, l. 1-4.
102 *ibid.*, XVI, Ch. 10, l. 18-19.
103 *Scotichronicon*, XVI, Ch. 10, l. 60, l. 63; XVI, Ch. 11, l. 1-5.

also wanted evidence of any illegality in Albany's government of the Stewartry. His attitude to the Governor's control of lands which had been granted to him as Prince of Scotland may have been distinctly unfavourable. That the only reference to Murdac as Steward of Scotland appears on a grant to Montgomery may be coincidental but it could equally indicate John's strong involvement in the position established by the Governors in the south-west.[104]

It is conceivable that the King's mistrust of Montgomery of Ardrossan was fuelled in part by the latter's local rivals, the Cunninghams. As has been suggested, Robert Cunningham of Kilmaurs and his kinsmen may have tried to win the support of Murdac for an increase in their local position during the governorship. In 1424 they may have quickly switched their efforts to the new royal government. Connections with the King may be reflected in the knighting of Kilmaurs at the coronation and, more importantly, the evidence of a link between Robert Cunningham and John Forrester of Corstorphine.[105] On 4 February 1425 James confirmed a grant from Cunningham to John of the lands of Blackburn in West Lothian.[106] This link may have been formed to influence the King against Montgomery and implicate him with Albany who, by February was clearly out of favour. The importance of the Stewartry in central politics makes such local considerations a plausible reason for Montgomery's arrest, and such a view is supported by subsequent events. That both Montgomery and Robert Cunningham served on the Albany assize and shared command of the forces sent to the Lennox may indicate that James was scrupulously maintaining a balance between the two men. However by June 1425, Montgomery was aware that he would probably be

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104 *R.M.S.*, ii, no. 102.
105 This link may have originated from the involvement of both men in Murdac's council. They witness together on at least two occasions (*R.M.S.*, ii, no. 48; Fraser, *Douglas*, iii, no. 60).
106 *R.M.S.*, ii, no. 17.

sent to England as a hostage during the summer. Although this may have been the automatic dispatch of one of a number of men released from hostage service in 1424 it clearly precipitated the agreement reached by John Montgomery with Robert Cunningham on 16 June 1425, a week after the two men had ended the Lennox revolt.[107] In the terms of this contract, Cunningham was to marry Montgomery's daughter Anna and receive a life-grant of the office of bailie of Cunningham with guarantees that it would revert to the Montgomeries on Robert's death. This deal may reflect John's recognition that loss of the office was inevitable and that he at least could provide for the eventual recovery of the bailiary. That Cunningham had benefitted from Forrester's influence on the royal council in this affair is further suggested by a grant of lands at Oxgangs and elsewhere in Midlothian to Henry Forrester, John's son, from Robert Cunningham.[108] This grant occurred on 30 June only a fortnight after the indenture and may be the pay-off for Forrester's backing. It may therefore have been the influence of Forrester, who probably was at this point both the chamberlain and the master of the King's household, which persuaded James to arrest Montgomery.

However, the main concern of James and the men politically bound to him on 21 March was the successful seizure of the Albany Stewart family and their main strongholds. Once he had decided to arrest Murdac, the King clearly recognised the importance of immediate action to prevent the formation of opposition to the duke's detention. The arrest of Alexander Stewart of Kinclaven took place with that of his father. The presence of Alexander with Murdac at the parliament reflects their continuing political association. Following these arrests, Bower states that the King "immediately

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107 S.R.O., GD 3/1/111.
108 *R.M.S.*, ii, no. 25.

(*continente*) sent to take over the castles of Falkland and Doune in Menteith".[109] This speed of action may have been the result of preparations taken by the King in anticipation of trouble with Murdac, or once that trouble had started. The men employed by James in these pre-emptive moves against the earldoms of Fife and Menteith had presumably been at the parliament at Perth and were therefore within striking distance of both Falkland and Doune. The arrest of Montgomery makes it less likely that men from the Stewartry were involved and it is more probable that local supporters of the King, like Atholl, or royal officials, like Lauder and Forrester, were used.[110] Bower implies that both expeditions were successful, presumably as a result of surprising the Albany strongholds before manpower and supplies could be assembled in their defence. At Doune Duchess Isabella, Murdac's wife and Lennox's daughter, was captured and presumably brought to Perth.[111]

These moves did not, however, enjoy total success. Bower reports that Murdac's son, James, known as "grossus" or the fat, "who alone of the duke's sons remained free (*unarrestatus*), escaped the King's hands".[112] It is reasonable to assume from this that the King intended to arrest his cousin in the general round-up of the Albany Stewarts. James may not have been at parliament with his father and brother, and eluded attempts to capture him at Doune and Falkland. His ability to remain at liberty during April presumably indicates that he had taken refuge in the Lennox soon after the other arrests. The decision of James the fat to join the opponents of the King in the Lennox probably indicates that there was no unrest in any of Murdac's lands at this point and that, as a result, James saw his

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109 *Scotichronicon*, XVI, Ch. 10, l. 19-20.
110 It is possible that in Fife the King's forces received the support of some Albany retainers.
111 *Scotichronicon*, XVI, Ch. 10, l. 21-22.
112 *ibid.*, XVI, Ch. 10, l. 27-28.

best chance of survival in going to his grandfather's earldom. It is possible, too, that James the fat had enjoyed some previous contact with the Lennox. In 1415, a James Stewart, *armiger*, witnessed an act of Earl Duncan and in 1421 James, the brother of Walter Stewart, witnessed a grant of lands from Duncan to Donald of Lennox, one of the earl's bastard sons.[113] Therefore, James the fat had served as an occasional councillor of his grandfather and was acquainted with one of his half-uncles who were probably involved with the opposition to the King in the Lennox. It is not inconceivable that James Stewart was some form of deputy to Walter in the Lennox, as he seems to have had less contact with his father than his brother, Alexander.[114] However, if this was the case, his presence with Murdac in early 1423 and the fact that he escaped the arrests of the leaders of this Lennox group in 1424, suggest he had distanced himself successfully from these men, possibly under pressure from his father. Equally, if he was not at parliament in March, it may show that James was not a close adherent of his father either and Bower's description of him as, "a man ready for anything foolhardy" may link him to Walter's disobedience to Murdac during the early 1420s.[115] Such a personal history would lead James the fat to see the Lennox as a natural stronghold.

However, the success achieved by the King in the seizure of Murdac and the administrative centres of his two earldoms meant that he could proceed with any plans to put Walter Stewart on trial. It was probably for this purpose that the King prorogued parliament. He may have subsequently issued commissions to those magnates whom he

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113 Fraser, *Lennox*, ii, no. 43; N.L.S., Ch. no. 20001.
114 James only appears as a witness of an act of Albany on two occasions during the governorship (*A.B.Ill*, iii, 587; Fraser, *Grandtully*, i, no. 111).
115 *Scotichronicon*, XVI, Ch. 10, l. 28.

wished to serve on the judicial assize at the parliament.[116] While the estates may not have been informed of James' plans for Duke Murdac before they departed from Perth, it seems likely that the King was thinking in terms of putting Albany, Lennox, and Alexander Stewart on trial. Such a move would solve the long-term problems which the Albany Stewarts presented to the crown and, given the evidence of James' growing hostility towards the duke, he was hardly likely to agree to Murdac's liberation unless forced to do so. Instead James' aim during April and early May 1425, was probably to assemble sufficient political backing and enough damning evidence for him to place Murdac and Lennox on trial and have them condemned along with Walter. The King must also have been anxious to appear in control of areas of potential trouble, principally the lands held by the men in his custody. James could not be sure that inability to prevent local unrest in the Lennox, Fife, and Menteith would not escalate into opposition strong enough to force him to abandon plans to have the Albany Stewarts executed.

In the light of this it is strange that Murdac, Alexander of Kinclaven and Duchess Isabella were initially sent, along with Montgomery and Otterburn to St. Andrews castle.[117] They may have been joined in the castle by Malcolm Fleming, who was transferred there from Dalkeith at some point.[118] Although safe from the Lennox, the proximity of the prisoners to the earldom of Fife must have been a risk even if James was confident that his seizure of Falkland made local unrest unlikely. Entrusting the prisoners to Bishop Wardlaw contrasts with the placement of those arrested previously by the King, who had been placed in the hands of keepers totally bound to

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116 A commission was issued to Robert Cunningham of Kilmaurs to appear on the assize, but is recorded as lost in 1847 (S.R.O., GD 39/5/256).
117 *Scotichronicon*, XVI, Ch. 10, l 22-23.
118 *ibid.*, XVI, Ch. 9, l 4-6.

James. Although Wardlaw had reputedly been involved in the King's education and had appeared on James' council on two occasions in 1424, the bishop does not seem to have been a close political ally of the King.[119] Wardlaw had also attended meetings of Murdac's council in 1423 and his reputation was that of a political lightweight.[120]

The decision to imprison Albany and his family in St. Andrews contrasts therefore with the locations chosen by James for Lennox, Walter, and Robert Graham in 1424. It is possible that this is explicable as some form of compromise forced on the King, whose ambitions towards Murdac, although private at this stage, may have been suspected. The public nature of the arrest may have allowed parliament, perhaps led by men like Mar, who, although anxious to avoid being bound too closely to Murdac, may have wished his survival as a check on the King, to put conditions on the duke's detention. Wardlaw's lack of political convictions and his stature in the church may have made him acceptable to both James and his critics.

However, within a month, on 14 and 16 April, the King was himself at St. Andrews.[121] The whereabouts of the royal household between the break-up of the parliament at Perth and this date is not clear. It is possible that the King was satisfying himself of the security of his hold on Doune and Falkland and canvassing support for his political position. His visit to St. Andrews should be seen in this light and in connection with the locations of the prisoners.

The presence of Sir John Stewart with the King on 14 April may be the

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119 *ibid.*, XV, Ch. 18, l. 2-5; *R.M.S.*, ii, no. 3; S.R.O., GD 119/167.
120 S.R.O., GD 16/3/8; GD 52/401; *A.B.Ill*, iv, 386-87. Bower described Wardlaw as a "lavish spender" and likened him to an ingratiating inn-keeper (*Scotichronicon*, XV, Ch. 18, l. 1). He was also described as "a man of such character that he does not rule but is ruled, and that by indiscreet and wicked men" (*C.S.S.R.*, i, 187). See also, D.E.R. Watt, *A Biographical Dictionary of Scottish Graduates to A.D. 1410* (Oxford, 1977), 567.
121 *R.M.S.*, ii, nos. 41-42; *Abdn. Reg.*, i, 222.

key to the King's purpose.[122] If Stewart of Dundonald had been acting as a royal official in the Lennox since November, his attendance on the King at this point may indicate a growing royal concern with the area. This may have been based on the knowledge by this date that James the fat had joined the rebels. It may also reflect that the King was already using James Stewart's rebellion as a justification for further action against Murdac. Evidence of the open revolt of James the fat, combined with possible efforts by the duke to negotiate the release of Walter and Earl Duncan at Parliament may have been sufficient for the King to put Murdac on trial. If this decision was taken on, or just prior to, King James' visit to St. Andrews in mid-April, it would explain why, presumably at the same time, the situation of the prisoners changed. While Montgomery, Otterburn, and possibly also Fleming, were released, Duke Murdac was moved to Caerlaverock castle in Dumfries-shire and Duchess Isabella was sent to Tantallon in East Lothian.[123]

Murdac and Isabella were presumably transported south when the King left St. Andrews to go to Edinburgh. On 26 April in Edinburgh, James confirmed the 5th earl of Douglas and his wife in joint possession of the lordship of Bothwell.[124] Assuming the earl was present, this meeting seems a likely point for the transfer of Murdac to Douglas' custody. As Caerlaverock was in the hands of Douglas' local vassal, Herbert Maxwell, who was also steward of the earl's lordship of Annandale, it is probable that Douglas was made responsible for the continued detention of Albany.[125] It may have been at the same point that Isabella was handed over to William, earl of Angus, to be held in Tantallon castle, for which, ironically, the

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122 *R.M.S.*, ii, no. 41.
123 *Scotichronicon*, XVI, Ch. 10, l. 23-25; the location of Alexander Stewart from this point is not clear.
124 *R.M.S.*, ii, no. 19.
125 *ibid.*, ii, no. 242.

earl was a vassal of the Dukes of Albany.[126] The transfer of the duke and duchess from the hands of the politically-uncommitted Bishop Wardlaw, close to the family's Fife lands, to two of James' nephews and allies in areas remote from Albany influence, marks a clear change in their position and suggests plans were underway for the duke's trial.

That James gave custody of the Duke and Duchess of Albany to his nephews also provides an indication of continued royal trust in the two men. If the King was in the company of Douglas on 26 April and possibly met Angus at about the same time, this may have been the point at which James made his plans for the trial clear to the southern earls and their followers. The King probably hoped to turn Douglas' promises of support from the Melrose meeting and before into active participation in the elimination of the Albany Stewarts. The nature of the aid required by the King from Angus and Douglas may be reflected by their role at the May parliament. Both men served on the assize which condemned the Albany Stewarts and had in all probability attended the parliament with their main local vassals and supporters.[127] It seems likely that they agreed to provide this political and, if necessary, military backing for the King either in Edinburgh or at a similar meeting. That James also granted a charter of lands to be held jointly by the Earl of Douglas and his countess, Euphemia Graham, may also be of significance, if Euphemia's marriage to Douglas still represented a link with Atholl. James must have been anxious to ensure that all the elements with an interest in his success would back him in parliament. It was probably at this point that commissions and instructions were issued to Cunningham of Kilmaurs and the recently released Montgomery to serve on the

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126 Fraser, *Douglas*, iii, no. 40.
127 *Scotichronicon*, XVI, Ch. 10, l. 55-66; *R.M.S.*, ii, no. 195.

judicial assize, and to them and other royal vassals in the area to attend parliament with the sizeable followings which would eventually be employed against the Lennox. Most importantly, James must have been anxious to assure himself of the loyalty of the Earl of Mar and his affinity, which events at the March parliament may have made uncertain. There is no evidence of any meeting betwen James and the earl in the period between the two sessions of parliament, but the appearance of Mar with Patrick and Walter Ogilvy on the assize which condemned Albany suggests that the earl was not prepared to oppose the King openly on the issue.

The decision to bring Albany and Lennox to trial may have increased the King's anxieties about the security of his hold on their estates. This concern was presumably behind the transfer of Murdac and Isabella to more secure areas and it may also have been the reason for James' return to Fife from Edinburgh. He was at Falkland on 1 May, confirming a charter of Robert, duke of Albany of lands in Fife to James Abercromby.[128] This proves that Falkland was still in royal hands, but it could also show the King's concern about Fife and the need to placate or reward local landowners. This visit could also have been in connection with the arrest of two Fife men, John Wright and William Lindsay of Rossie. As has been mentioned, both these men were forfeited by James, Wright before 1434 and Lindsay before 1431, and the obvious occasion for this attack was during the fall of the Albany Stewarts.[129] They were probably sentenced at the May parliament with their feudal superior, Murdac. It is, however, not clear when they were arrested. Bower does not

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128 *R.M.S.*, ii, no. 20.

129 The forfeiture of Lindsay occurred before February 1431 (N.L.S., ADV 34.6.24, 189r). While Wright is not referred to as forfeited until 1458 (*R.M.S.*, ii, no. 655), the sentence took place under James I and there is a reference to a "late John Wright" in 1434 (*E.R.*, iv, 589).

mention them in the events of the March parliament and this may indicate that they were arrested subsequently. The crime for which the two men were punished was probably the arrest of Rothesay in 1402, but this event and their continued close adherence to the Albany Stewarts may have made them suspect in 1425 in the eyes of the King. The fact that the two men escaped with only forfeiture and were at liberty in the 1430s suggests that they were not convicted of active rebellion.[130] The occasion of their arrest may have been one of the King's two visits to Fife in April and early May 1425, but Wright's position as keeper of Falkland makes it possible that they were seized during James' takeover of the earldom in March. In this case, James could have visited Falkland to take possession of the prisoners en route to Stirling, where parliament was to re-assemble, and to reward those locals who had supported him in the earldom.

In addition to Abercromby, it seems likely that this support was provided by John Lumsden, who must have been released from royal custody by this date. That Lumsden was retained as sheriff of Fife for the remainder of James' reign without a break, despite his previous connections to the Albany Stewarts, suggests that he was swift in transfering his allegiance to the King, perhaps as a result of his imprisonment. Lumsden appears as sheriff in June 1425 and in October was deputy-justiciar north of Forth, indicating the King's trust in him.[131] Such trust must have been based on the performance of Lumsden in the takeover of the earldom and on the recognition by

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130 It is possible, however, that there was some trouble in Fife. In 1429 the King held the estates of Thomas de Balcomie because he had "directed himself to English lands and the enemies of the King". The timing of Balcomie's flight from his Fife estates may have been connected to James' takeover of the earldom, though it is hard to believe Thomas would have received much help from the English council in 1425 (*R.M.S.*, ii, no. 130).

131 *Inventory of Pitfirrane Writs*, ed. W. Angus, Scottish Record Society (Edinburgh, 1932), nos. 16, 22; Fraser, *Wemyss*, ii, no. 51.

James that Lumsden's twenty-eight year tenure of the office gave him the local stature to administer the area for the crown.[132]

The King's visit to Falkland may have satisfied his fears about any local unrest in the area before the trial and between 1 and 7 May James took up residence at Stirling. He had obviously decided to make Stirling his base during the potentially dangerous period before and during the trial of Albany and his kin. The court of exchequer met there from 7 May to about 22 May and preparations for the trial probably began when parliament opened on 18 May.[133] The summons to both the exchequer and the parliament to convene at Stirling must have been issued in advance, and shows a deliberate choice by the King. It was a significant decision. Stirling castle had been in the hands of the Albany Stewarts since the 1370s and Murdac had received the salary of £133 6s 8d as keeper of the castle in 1422.[134] The King's visit to Stirling in late 1424 could conceivably have been the point at which Murdac's tenure ended, as Bower does not mention it in his account of James' seizure of Albany strongholds.[135] The castle, however, must have retained connections with the Albany Stewart family, and Bower's statement that, following the execution of Murdac, "the King also resumed possession of Torwood and the New Park as part of the royal rights of the crown" may indicate James' concern with probable alienations of lands by the Governors in the vicinity of Stirling.[136]

However, the main reason for the King's choice of Stirling as a base in May 1425 was surely strategic. Stirling was situated close to the castle of Doune and Murdac's earldom of Menteith, and not far from the eastern border of the Lennox. It was well-placed therefore

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132 Lumsden was still sheriff in 1440 (*H.M.C.*, viii, 307).
133 *E.R.*, iv, 379-99; *Scotichronicon*, XVI, Ch. 10, l. 43-44.
134 *E.R.*, ii, 422; iv, 377.
135 *Scotichronicon*, XVI, Ch. 10, l. 19-20.
136 *ibid.*, XVI, Ch. 10, l. 67-70.

as a base from which to prevent attacks being made from the Lennox into Stirlingshire or trouble being stirred up in Menteith. By calling his supporters to Stirling, James could also restrict contact between his opponents in the Lennox and potential rebels in Fife. It was probably the spread of unrest to Fife and Menteith which most worried James in 1425. Rebellions in these areas would undermine the King's control of a large part of central Scotland and diminish drastically his ability to control the political community.

James' decision to use Stirling as his base from early May was probably based primarily on his worries about the Lennox. If he had been aware since the middle of April that James the fat had joined the existing opposition in the area, the King's chief concern was probably the growth of unrest in the Lennox. The involvement of James, son of Murdac, was probably instrumental in the increased impetus given to the Lennox revolt in April and May 1425.

The arrest of Murdac may also have provided the Lennox rebels with the support of the areas to the west of the earldom. The *Scotichronicon* records that, following the collapse of the rising, the Bishop of Argyll fled into exile with James the fat.[137] The involvement of Finlay de Albania, bishop of Argyll, in the Lennox revolt was due to his close links with the Albany Stewart family. Finlay was vicar-general of the Dominicans in Scotland by 1412, but his links with the Governors were provided by his role in the negotiations between Duke Robert's council and Pope Martin V.[138] In these discussions he appears as a councillor and special confessor of the duke, and his good standing with both the Pope and the Governor was probably responsible for Finlay's promotion to the see of Argyll

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137 *ibid.*, XVI, Ch. 10, l. 28.
138 *E.R.*, iv, 152, 183; *C.P.R. Letters*, vii, 6,7; Watt, *Graduates*, 4-5. Finlay was chaplain of the Earl of Fife in 1396.

at the end of January 1420.[139] The new bishop may well have had links of kinship with his see, as in 1418 a canon of Cambuskenneth, Patrick of Lorn, is described as a kinsman of Finlay of Albany. This suggests that Finlay had family ties to Lorn in the southern part of his diocese.[140]

Although he was not so closely tied to Murdac, Finlay's links with the Albany house clearly led him into opposition against James' attack on the duke. However, the bishop's involvement seems to have been indirect. In the *Liber Pluscardensis* he is described as a "culpable abettor" of the revolt, and a letter of the King to the Pope asking for Finlay's deposition the next year reinforces this view.[141] The King, despite his hostility towards the bishop, does not try to present him as actually taking up arms, saying that

> Finlay, bishop of Argyll has given counsel and aid to traitors and rebels, and has committed treason, and with the said traitors and rebels has fled the realm.[142]

However, if the King is not accusing Finlay of full involvement, it seems obvious that more than just helping James Stewart's flight is implicit in the King's accusation. The word "counsel" suggests that the bishop met and advised Stewart during the course of the revolt, and it is not implausible that the "aid" consisted of raising, or

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139 J. Dowden, *The Bishops of Scotland* (Glasgow, 1912), 263. Finlay replaced a chaplain of Donald of the Isles in the see of Argyll and was possibly chosen to reduce the influence of the lordship.

140 *C.P.R. Letters*, vii, 69.

141 *Liber Pluscardensis*, 280. That Finlay did not join the initial rebellion is suggested by a probable dispute with the Earl of Lennox. He was provided to the hospital of Polmadie but was prevented from entering the benefice by Lennox's appointment of William Cunningham, an illegitimate brother of Robert Cunningham of Kilmaurs. As Lennox was successful in pressing his rights of patronage to Finlay's disadvantage it is unlikely that the latter would be spurred to action until Murdac's arrest. The further connection of the hospital of Polmadie and the Cunninghams to the events of 1425 is also of interest (Watt, *Graduates*, 4-5; *C.S.S.R.*, i, 165, 167).

142 *C.P.R. Letters*, vii, 473-74.

allowing James to raise, a force of men in Argyll, possibly among his connections in Lorn. It seems likely that Finlay was firmly implicated in the actions of James the fat in 1425, and may well have provided the additional resources which allowed the rebels to take the offensive. That the bishop chose to flee himself is an indication of his complicity in more than just the escape of James.

Finlay's "counsel and aid" was probably given to James the fat in the five weeks between the arrest of Murdac and the rebels' attack on Dumbarton on 3 May.[143] The decision to launch this attack was clearly taken in the same period. James Stewart was condemned by Bower as "foolhardy", presumably in large measure because of his raid on Dumbarton, and subsequent writers have seen his action as playing into the King's hands as a justification for the executions of the Albany Stewarts and Lennox.[144] However, it seems likely that the King was determined to execute these men anyway, and James the fat probably launched his attack with this in mind. James was probably anxious to attack before the trial could begin and, by winning a quick success, the rebels probably hoped to undermine the King's prestige. A full-scale rebellion in the Lennox would have placed pressure on the King to reach a compromise settlement with his enemies. The choice of Dumbarton was natural as a royal castle and as the centre of Walter's plans for local trouble in 1423. That, among the rebels, John Macalpin owned lands in the burgh of Dumbarton may also suggest that potential support existed for the revolt in the area.[145] Control of Dumbarton castle would have given the rebels a base from which they could exert considerable influence on the events planned by the King at Stirling.

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143 *Scotichronicon*, XVI, Ch. 10, l. 29.
144 Nicholson, *The Later Middle Ages*, 287.
145 *E.R.*, iv, 493, 524.

The actual attack on Dumbarton took place on 3 May 1424. In the course of the fighting the burgh was burned and thirty-two men, including John Stewart of Dundonald, were killed on the King's side.[146] It is clear from this that the rebels assaulted the town and fought the troops which had been sent to garrison it under Stewart of Dundonald. The rebels were also able to burn the burgh. That James the fat and his supporters killed Stewart of Dundonald and burned Dumbarton would seem to indicate a degree of success in the kind of destructive raid that was typical of cateran attacks. However, it would seems likely that James' position demanded something more, principally the seizure of the castle as a base for further action. However, if an attempt was made on the castle, it clearly achieved no lasting success. The rebels may have hoped to surprise the royal forces in Dumbarton, but while they were able to assault the town successfully, they were repulsed from the castle.

The performance of John Colquhoun of Luss as keeper of Dumbarton was certainly successful enough for him to be retained in control of the castle for the following year, and on 13 May he received a payment of £13 6s 8d as an advance wage until Pentecost.[147] This presumably indicates the anxiety of the King to maintain Colquhoun's loyalty and his ability to retain a military presence in the Lennox in the immediate aftermath of James Stewart's attack. It may also have been a payment for Colquhoun's services in pursuing the rebels. Bower reports that the King ordered such a pursuit and either during it or in the attack itself, a number of prisoners were taken, and it was presumably these men who were executed by the King as "followers of this James" on 7 or 8 May.[148] That the King's forces were able to

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146 *Scotichronicon*, XVI, Ch. 10, l. 29-32.
147 *E.R.*, iv, 414.
148 *Scotichronicon*, XVI, Ch. 10, l. 38-41.

take and hold prisoners at this point suggests that, despite their losses at Dumbarton, they were still active in the Lennox.

James the fat's attack on Dumbarton clearly was not a strong enough blow against the King to prevent preparations continuing for the trial of the remaining Albany Stewarts. The executions of rebels on the 7 or 8 May at the opening of the exchequer audit may have been a gesture of King James' determination not to back down in his dealings with the political community. His decision to remain at Stirling is also an indication of the failure of any hopes of political success by the rebels, either by forcing him to back down or to take the field in person.

However, despite James' continued resolution, it was the attitude of the rest of the Scottish nobility which would determine the strength of his position. The composition of the assize which conducted the judicial business of the parliament provides a good indication of the number of lay magnates who attended.[149] On this assize were the Earls of Atholl, Douglas, Mar, Angus, Orkney, and March, the Lord of the Isles, and fourteen lesser landowners. Although none of the assize were major landowners in Fife or Lennox, with this exception they represent a fair geographical spread in the kingdom. Most importantly, apart from the geographically remote and politically insignificant Earl of Sutherland, all the adult earls in Scotland were represented on the assize. The inclusion of this large cross-section of the political community and the fact that no churchmen sat on the assize may have been forced on the King by the secular magnates as their responsibility in the trial of a group of their own number.

The King could be confident about the support of a sizeable number of these men. Of the six earls, James had been working

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149 *Scotichronicon*, XVI, Ch. 10, l. 55-66.

closely with Atholl, Douglas, Orkney, March, and Angus since his return and was probably confident of the backing of Alexander of the Isles in the condemnation of his Albany Stewart rivals. Among the lesser landowners, James had similar contacts. Two of them, John Forrester and Walter Ogilvy, were royal household officials while Livingston of Callendar, Douglas of Balvenie, William Borthwick, and Thomas Somerville had also appeared as councillors of the King in the opening period of the reign.[150] The fact that Cunningham of Kilmaurs and the recently released Montgomery of Ardrossan had probably already been commissioned to raise forces for the King suggests that they were aware of the importance of James' influence for their local position and would provide him with political backing. However, these links of interest between the King and the assize do not undermine its validity. Rather they are evidence of the success of James in his search for support since his return.

At the same time, many of the lesser men on the assize had political ties to one of the earls which must have affected their stance during the trial. Thus Somerville, Borthwick, and Balvenie all possessed connections with the 5th earl of Douglas, as did Herbert Herries of Terregles, a vassal of the family in Nithsdale.[151] The presence on the assize of Thomas Hay of Yester, the brother-in-law of Angus, may also have been due to his relationship with a nephew of the King. Perhaps even more significant than the Black Douglas clique on the assize, which reflects the involvement of the family on the council, was the inclusion of Mar and his 'confederate', Patrick Ogilvy of Auchterhouse, sheriff of Angus. These men must have been involved in the criticism of the King's relations with "hieland men" in March, and despite the earlier

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150 All had been in the privy council of November of 1424 (S.R.O., GD 119/167).
151 Fraser, *Douglas*, iii, nos. 391, 392, 393; *R.M.S.*, ii, no. 86.

involvement of James in negotiations, it was probably a calculated risk to appoint Robert Stewart of Lorn, one of Murdac's brother-in-law, to the assize. Stewart's connection with Lorn, an area which may have provided support for the Lennox rebels and with the north-east could have added to doubts about his role.[152]

While James clearly possessed sufficient ties to the members of the assize to be relatively sure of their support, it is possible that there was a degree of misgiving about the treatment being meted out by James to the Albany Stewarts. The recent political history of Scotland may have led many at the parliament to expect that some kind of political deal would be struck between James and the Albany Stewarts, possibly resulting in punitive financial measures being taken against the duke in combination with a reduction in his political standing. At the most, it may have been believed that the King's decision to try Murdac was taken to coerce the duke into accepting Walter's execution, thus removing the threat of the Albany estates falling to James' implacable opponent. That James had taken the decision to execute Albany, Lennox, and Alexander as well, and to annex their lands to the crown, was a departure from normal Scottish practice. Even David II, probably regarded between 1371 and 1424 as the unacceptable face of Scottish monarchy, had ended the major unrest of 1363 and 1369 without any executions among his opponents.[153]

The only comparable incident was Robert I's treatment of the conspiracy against him in 1320, which aimed to murder the King and replace him with William de Soules.[154] No clear evidence exists for a similar plot in 1425. It is striking, moreover, that, in 1320, five men accused of being conspirators were acquitted for lack of

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152 *S.P.*, v, 1-3.
153 Nicholson, *The Later Middle Ages*, 170-79.
154 *ibid.*, 102.

evidence. That the judicial assize at the parliament of March 1425 passed sentences of death on all of James' main prisoners must be an indication of royal success. This success must have been based on the recognition of the majority of the assize that their own interests would be best served by the King's victory rather than a prolonged conflict between James and the Albany Stewarts. It is possible, though, that at the same time doubts existed about the future direction of the King's activities.

It is possible too that the King was able to bring convincing charges against the Albany Stewarts when parliament opened on 18 May.[155] The apparent delay of a week before the trial of the duke could be due to a number of other cases being dealt with by the assize. The parliament may have passed sentences on the Lennox rebels, some of whom are later recorded as having been forfeited. James Stewart, John Macalpin and the bastard sons of Earl Duncan may have been tried and condemned in their absence as open rebels. At the same time the assize probably dealt with the five followers of James Stewart who, according to Bower, were executed on the same day as Duke Murdac.[156] The significance of these trials may have been to draw a firm connection between Murdac and Duncan and the Lennox rebellion, as would the timing of the executions. Further evidence of this may be drawn from the exchequer accounts of 1425-6, when a number of references were made to the carriage and display of the quartered corpse of Adam Ged, a declared traitor, to "diverse burghs".[157] Given the timing of the payments and the fact that quarters of Ged were displayed in Stirling and Dumbarton, it is obvious to assume that he was involved in the Lennox rising and perhaps also that he was executed at Stirling. Ged received no title

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155 *Scotichronicon*, XVI, Ch. 10, l. 42.
156 *Scotichronicon*, XVI, Ch. 10, l. 67-70.
157 *E.R.*, iv, 418, 421, 425.

in the exchequer account, possibly suggesting low status, but his treatment indicates that he was used as an example by the King after the rising. As a name, Ged has associations with Fife, the family of Ged of Beldridge near Dunfermline being established by the early fourteenth century.[158] If Adam Ged was from Fife and linked to the revolt, perhaps with James the fat, his execution and public display may have been designed to brand the trouble in the Lennox as an Albany Stewart conspiracy. The strong ties between Albany and the Lennox, and the clear evidence of his youngest son's rebellion, possibly aided by some minor Fife retainers of the family, probably secured his condemnation and that of his son, Alexander. Walter and Duncan were implicated even more heavily in the initial revolt and suffered accordingly. As a result of these verdicts, Walter was condemned by the assize for *roborea*, violent plundering, or, according to one manuscript of the *Scotichronicon*, of treason. He was executed on 25 May when his father, grandfather and brother received the same verdict.[159] The charges brought against them were not recorded by Bower, but were probably the support and knowledge of rebellion against the King, specifically outlawed in James' first two parliaments.

The execution of Duke Murdac and his kinsmen must have severely undermined the position of the Lennox rebels. The attempt to force a compromise settlement on King James by successful defiance had clearly failed, and the events at Stirling had demonstrated the King's control over the political community. However, there does not appear to have been any major attempt to end the rebellion before the execution of the Albany Stewarts, and Bower's report that the King ordered a pursuit of the rebels, "by land and sea" after the attack

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158 J. Geddie, *Geddie and McPhail Genealogy* (Fort Worth, 1959), 5-6.
159 *Scotichronicon*, XVI, Ch. 10, l. 44-55.

on Dumbarton probably refers to a local operation.[160] That James the fat only decided "at length" to go into exile also implies that no immediate action was taken against him and his force still clearly retained control of Inchmurrin.

However, it seems likely that the King was able to send forces to the Lennox directly from the parliament. That a fortnight after they had been on the judicial assize Montgomery and Cunningham of KIlmaurs were completing the suppression of the rebellion suggests that they had been commissioned to raise men before departing for Stirling. It may also indicate that these two Ayrshire lords and the other men who were involved in the royal force, John Semple of Eliotstoun and Humphrey Cunningham of Auchtermachane, were at the parliament with sizeable retinues. This is further supported by Bower's statement that the force had been sent by the King "immediately after the parliament".[161] It is quite likely that James had assembled a body of supporters at Stirling to act as a reservoir of manpower to oppose local unrest sparked off by the trial of the Albany Stewarts.

In this case the choice of Ayrshire men by the King is interesting as an indication of renewed trust in his own vassals from the Stewartry. Semple and Montgomery were both royal officials, and the inclusion of the Cunninghams was probably connected to the local arrangements over the planned departure of Montgomery. It may also be significant that Robert Cunningham held estates in the Lennox which he had granted in life-rent to Earl Duncan. Recovery of these lands would be eased by active support of James' attack on the rebels.[162]

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160 *ibid.*, XVI, Ch. 10, l 33.
161 *ibid.*, XVI, Ch. 11, l 1.
162 Fraser, *Lennox*, ii, no. 41.

It was probably at this point that James Stewart decided to take flight. The terms of the King's accusation against Bishop Finlay make it clear that the bishop played a major role in organising Stewart's escape. Therefore James presumably travelled westwards from Loch Lomond to the coast of Argyll before crossing to Ireland, his reported place of exile. With the King in control of the areas to the south and east, this was the easiest route of escape in any case. Given the flight of James the fat, Bishop Finlay and probably the other main rebel leaders, it is unlikely that the King's troops met much resistance when they reached the shores of Loch Lomond opposite Inchmurrin. The capture of the castle on 8 June ended active resistance to the King on behalf of the Albany Stewart family.[163] By that date King James had already left Stirling for Edinburgh, probably demonstrating his belief that the period of crisis was over.

In just over a year of his active rule, James had successfully established himself at the head of the Scottish political community and had, without any large-scale resistance, eliminated the Albany Stewarts, the family closest to him in blood and landed wealth. The King's success in this "royalist revolution" was based on a combination of his exploitation of existing factors in Scottish politics and on the personal qualities he displayed in handling his new subjects.[164] Most important among the natural advantages favouring the King on his return was the split which existed in the Albany Stewart family. This prevented the formation of a political grouping, probably acting as a check on the King, based on the network of connections established by Robert, duke of Albany, during his extensive career. Instead, the opposition of Walter Stewart to

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163 *Scotichronicon*, XVI, Ch. 11, l. 1-5.
164 Nicholson, *The Later Middle Ages*, 287.

his father's authority was probably at the root of Murdac's inefficiency as Governor, and may explain the anxiety of many Scots for James' return. The King was able to exploit this division in 1424 by gaining Murdac's support for the arrest of Walter, and probably also his qualified acceptance of the arrest of Lennox. Thus James was able to destroy the Albany Stewart family piecemeal, having placed Murdac in the awkward position of supporting or denouncing a rebellion linked to his family but over which he had extremely limited control. The absence and deaths of Douglas and Buchan was also to prove a source of advantage for the King. In the first months of the reign, the absence of these two major figures must have aided James' establishment of his postion in Scotland. However, their survival and success would, in the long-term, have place severe pressures on the King. The threat of their return and the influence they could have enjoyed as continental magnates would have restricted James' freedom of action.

However, the real reasons for James' success were to be found in his own political decision as King. The events of 1424-5 reveal the King as an opportunist capable of flexibility in his short-term goals, and highly successful in the art of political management. His chief advantage in this was his use of his role as arbiter and source of patronage, but his ability in playing off local rivalries in the marches and in the north to extract the support of all parties must be evidence of his personal qualities. Similarly the varying nature of his relations with the Douglases and his readiness to work with Duke Murdac against Walter, before excluding him from government and then attacking him, show James' skill in the art of the possible. The best example of this was in the reaction of the King to Verneuil when, possibly in contrast to the sense of shock felt by the rest of the political community, James seems to have identified and acted to

seize the opportunities presented by the deaths of Douglas and Buchan.

At the same time, though, James seems to have had a clear desire to strengthen his own position, which was a consistent aim of royal policy throughout the reign. He was clearly not prepared to accept the limited authority enjoyed by his father or the dominant influence of the Albany and Douglas factions. From the outset, James was seeking to establish support for his own position, based on men like Atholl, Angus and March, with reasons to object at the pre-1424 situation. This was James' own attitude, and the decision to weaken and, if possible, destroy the Albany Stewarts was probably an equally consistent aim. When the opportunity for the latter presented itself, the King relentlessly exploited it in a way which suggests a fixed desire to destroy Murdac and his kin. The behaviour and attitudes of James were revolutionary in the effects they had on Scottish politics, and although he used the powers of patronage and latent prestige of the crown in furthering his interests, the destruction of the Albany Stewarts was primarily the King's personal achievement.

4 JAMES I AND THE ALBANY STEWART LEGACY (JUNE 1425 - NOVEMBER 1427)

i. The Expansion of Royal Authority

The two-and-a-half years between June 1425 and the winter of 1427-8 form a coherent period in terms of the relations of King James with his leading subjects. During this time James was principally concerned with his position within lowland Scotland. The executions at Stirling and the capture of Inchmurrin castle had ended the political manouvering which accompanied James' return but it was not until 1428 that the King embarked on new aggressive 'external' policies with his attack on the Lord of the Isles and the renewal of the French alliance. Between 1425 and 1427 James was clearly not oblivious to foreign policy considerations, undertaking negotiations with the rulers of Norway and of Holland and Zeeland in 1426.[1] He was still also concerned to honour the Anglo-Scottish agreements of 1424. As will be discussed, it seems likely that until 1427 James was attempting to raise money for the ransom and contact with the English government was largely on this subject and on the position of the hostages.[2] The seven-year truce which began in 1424 was probably not under much pressure and the losses sustained among Scottish border landowners at Verneuil must have reduced the likelihood of trouble in the marches. Before 1428, James was maintaining the working relationship with England which had been agreed with Henry VI's council prior to his release.

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1 *Scotichronicon*, XVI, Ch. 33, l. 1-13; XVI, Ch. 14, l. 14-24; M.P. Rooseboom, *The Scottish Staple in the Netherlands*, 14, 15, 17, App. nos. 19, 22.

2 *Rot. Scot.*, ii, 252, 258, 261, 262; *P.P.C.*, iii, 171, 259-65; *C.D.S.*, iv, nos. 993, 995-96, 984, 998. There were some meetings concerned with the position of Roxburgh and Berwick and with breaches of the truce.

This lack of diplomatic activity contrasts with James' later initiatives and suggests that the King was preoccupied with domestic affairs which made him anxious to retain good relations with England. Between 1425 and 1428 one of James' primary interests was the control and consolidation of the gains he had made in the destruction of the Albany Stewarts. The executions at Stirling had removed the most powerful landed family in the kingdom and the implications of the deaths of Albany, Lennox, Walter, and Alexander in both political and administrative terms must have been immense. The rest of the earls, and the political community as a whole, had acquiesced in the executions largely as a result of the King's skilful use of his position, but it must have been apparent to both James and his chief subjects that the effects of the attack on the Albany Stewarts would continue beyond the capture of Inchmurrin and the end of open resistance to the crown.

The first concern of James must have been to ensure his authority in the former Albany Stewart lands and especially in the earldoms of Fife, Menteith, and Lennox. The addition of the landed revenues of these estates to the crown's income was clearly of fundamental importance to James' hopes of increasing his power. That this was appreciated by his subjects is suggested by the accusations of cupidity levelled at the King as a motive in the attack on the Albany Stewarts. The idea that James' subjects "suppoised and ymagined that the Kyng ded ... that vigorious execucion upon the lordes of his kyne for the covetise of thare possessions and goodes" comes after 1437 and the later attacks on the holders of Ross, Strathearn and March.[3] The King's anxiety to remove Albany and his kin was probably based more on the political ambitions of James in 1424, but the speed and determination with which the earldoms were

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3 *James I, Life and Death*, 49.

formally annexed to the crown may have appeared, with hindsight, as the first signs of the King's greed for land.

With Falkland and Doune in his hands since March and Inchmurrin from its capture in June, James was presumably in a position to establish his control over the earldoms of Fife, Menteith and Lennox in the summer of 1425.[4] As, during June, July and August, James seems to have remained in the vicinity of Edinburgh, perhaps in connection with the arrangements for an exchange of hostages, it seems likely that any changes in the running of the three earldoms were carried out by the King's agents in these areas.[5] The nature of these changes and the authority of the King in the earldoms which had belonged to the Albany Stewarts can only be established by looking for indications of royal involvement in the government of these areas throughout the reign.

Both Fife and Menteith came into royal hands as a result of the forfeiture of Duke Murdac, and James clearly pressed his legal title to the earldoms. Fife was permanently annexed to the crown and James granted out lands to be held "from the King and his successors as earls of Fife".[6] In the two years after 1425, James similarly granted lands in the earldom of Menteith, presumably as earl, before his resignation of that title and part of the lands of Menteith to Malise Graham.[7] These grants suggest that the King controlled the landed and financial resources of the two earldoms. Accounts from the 1450s indicate that, at that point, the Fife lands and the portion of Menteith retained by the crown were both valuable holdings.[8] Conclusive evidence of their value to James I is hard to

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4 *Scotichronicon*, XVI, Ch. 10, l. 20; XVI, Ch. 11, l. 1-5.
5 *R.M.S.*, ii, nos. 21-4; *H.M.C.*, XII, app. 8, no. 292; S.R.O., RH 6/268.
6 *R.M.S.*, ii, no. 135; S.R.O., GD 1/1042/3.
7 *R.M.S.*, ii, no. 45; Fraser, *Menteith*, ii, no. 57.
8 *E.R.*, v, 477, 466; vi, 253, 566, 575.

find. In the 1434 account of the bailies, rents and financial dues from Menteith are recorded showing that the King's officials were at work in the part of the old earldom held by James.[9] There are, however, fewer indications of the control of the earldom of Fife by the crown. The payment of a fee to Henry Amours, constable of Kinghorn and mair of a quarter of Fife, is an isolated example of contact between the central government and the area and no rents from Fife are recorded in the 1434 account.[10] Similarly, while Doune was clearly a royal castle and used as a residence for James' family, there is no proof that Falkland remained in the King's hands.[11] There is a tradition that the manor of Falkland was in Atholl's hands until 1437, possibly derived from the grant of James II to his wife which included "the whole earldom of Fife with the manor or castle of Falkland and park of the same and lands of the King (in Fife) pertaining (to him) by reason of the forfeiture of Walter, earl of Atholl".[12] This probably indicates that Atholl's lands in Fife were joined to the Queen's appanage rather than being proof of the earl's control of Falkland. However, the appointment of a keeper of influence would provide one explanation for the absence of Falkland from exchequer accounts. The nature and extent of Atholl's local influence in Fife will be discussed later, but there is no evidence that the earl resided in Falkland or in his lands at Moonzie, Kinsleath and Cairnie in north-west Fife and it seems unlikely therefore that he enjoyed a major role in administering the earldom for James. Instead it seems reasonable to assume that the running of Fife was in the hands of men like Henry Amours and John Sybbald,

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9 *E.R.*, iv, 589.
10 *E.R.*, iv, 462, 491, 547.
11 *E.R.*, iv, 529, 591, 593. Doune was used as the residence of the heir to the throne, James, Duke of Rothesay at some point during the first years of his life.
12 *R.M.S.*, ii, no. 462.

constable of Crail under the authority of John Lumsden who was retained as sheriff of Fife throughout the reign and who may temporarily, have been appointed deputy-justiciar north of Forth in 1425.[13] If Lumsden restored local order for the King at this point, he probably continued to exercise the King's authority in the area. That Falkland does not feature as a royal residence under James I may however suggest that the pro-Albany sentiments of Fife made the area a dubious centre for royal activities. It seems unlikely though that the former status of the earldoms of Fife and Menteith seriously affected the ability of the King to control these areas.[14]

The position of the Lennox under James appears to have been more complex and after 1437 at least it was treated differently to the earldoms of Fife and Menteith. This difference was due to the existence of active heirs of Duncan, earl of Lennox, who were to regain control of the earldom. Between 1437 and her death in the 1450s, Isabella, duchess of Albany, Duncan's eldest daughter, acted as ruler of Lennox from Inchmurrin and other islands in Loch Lomond.[15] She was supported in this by her grandsons, the seven illegitimate children of Walter Stewart and James the fat, by her half-brothers, Donald and William, and by a number of local landowners. The crown found itself forced to accept this situation in the 1450s when the fermes of lands in Lennox "are collected by the old Countess of Lennox, and the King does not claim them, the King is consulted about them".[16] In the 1470s an assize concerning the

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13 *Pitfirrane Writs*, no. 16.
14 The lack of payments connected to Fife in the 1434 account of the bailies may simply indicate that the earldom was dealt with separately and that this record has not survived.
15 Fraser, *Keir*, nos. 18, 19; *H.P.*, iv, 203-6; *Glasg. Friars*, 29; S.R.O., GD 124/1/425; N.L.S., Ch. no. 20001.
16 *E.R.*, vi, 165.

earldom stated that Earl Duncan "died vest and seised as a loyal vassal of the King".[17]

However the evidence suggests that during James' reign the Lennox was treated as royal land as a result of the sentence of forfeiture passed on Duncan in 1425. Thus in 1430, lands in Lennox were "to be held, in fee, from the King and his successors, earls of Lennox" and a number of grants of land in the earldom were made by the King.[18] In the 1434 account of the bailies, a number of lands in the Lennox are referred to, further emphasising royal administrative control. In determining the speed of the King's takeover of the earldom it is significant that an assize was held in October 1425 concerning lands held by the Earls of Lennox which were claimed by John Haldane of Gleneagles.[19] The assize was held by the sheriff of Stirling, Archibald Cunningham, who had clearly retained his office, probably aided by the support of his kinsmen, Robert and Humphrey, for the King's attack on the Lennox rebels. Another of James' commanders in the Lennox, John Semple, was on the assize as was Livingston of Callendar, a royal councillor in 1424-5. Included in the same body were a number of Lennox-men such as Walter Buchanan, the son-in-law of Duke Murdac and Isabella, and his brother, John Buchanan, who had both been involved in the Lennox faction of 1423. Also present was Donald Bane Macalpin, possibly a kinsman of the rebel John Macalpin. The assize found in favour of Haldane, a decision which, although condemning the old earl, removed lands from royal control. The presence of the Buchanans and others shows their political survival during the rebellion, but it is hard to believe that there was no tension between Lennox and Albany supporters and

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17 Fraser, *Lennox*, i, 257.
18 *R.M.S.*, ii, no. 159. Other grants of lands in the Lennox were made by the King (*R.M.S.*, ii, no. 187; S.R.O., RH 6/293).
19 S.R.O., GD 198/9.

those of the King at such a meeting. The assize possibly also reflects the settlement of local claims which arose from the political changes of 1425 and the forfeiture of the Lennox.

The King's administration of the Lennox heartlands around Loch Lomond and along the Clyde was probably based on Dumbarton castle and the sheriffdom of Dumbarton. John Colquhoun of Luss was therefore the main agent of royal government in the Lennox. He was paid as keeper of Dumbarton castle in 1425 and 1426 and, although no further payments are recorded, he probably retained the post in conjunction with the office of sheriff of Dumbarton.[20] Colquhoun was sheriff by at least 1427 and probably remained so until 1439.[21] In 1427 and 1428, the King instructed John Colquhoun to summon the sheriff of Argyll, Duncan Campbell of Lochaw, to appear before the council.[22] Campbell was engaged in a dispute with John Scrymgeour over lands in Argyll and Clackmannan. That James employed Colquhoun as his local agent in the affair indicates further his importance to the King in maintaining control of the west of Scotland. The support of Colquhoun for royal control of the Lennox was probably an important factor in ensuring that James retained his hold on the military centres of the earldom and collected the rents and profits of the earl from the area.

The evidence suggests, therefore, that during the latter part of 1425 the earldoms of Fife, Menteith and Lennox were formally annexed to the crown and brought under the control of the royal administration by local men like John Lumsden, Archibald Cunningham and John Colquhoun who had supported James in his attack on the Albany Stewarts. As sheriffs, all three probably recognised the advantage to their local influence caused by the lack of an earl of

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20 *E.R.*, iv, 390, 414.
21 *H.P.*, ii, 158, no. xxi.
22 *H.P.*, ii, 158-172.

Fife or Lennox and therefore had vested interests in defending the royal takeover of the earldoms. The value to the crown of these lands has been estimated from the accounts of Fife, Lennox and Menteith in the 1450s. This would seem to suggest that the Albany forfeiture, which included not just these lands but estates in Perthshire and Stirlingshire, added over £1200 to the royal demesne. Such a sum must have doubled the landed resources of the crown.[23] With hindsight this accumulation of new estates was seen as the beginning of royal expansion in the fifteenth century. At the time, however, it is possible that the King's ability to hold onto his gains was not so certain.

The security of James' hold on the Lennox throughout the reign, but especially between 1425 and 1429, is thrown into question by events in the area following the King's murder. In 1439, John Colquhoun was killed in the course of fighting with Lachlan MacLean of Duart and one Murthow Gibson. Though he was therefore killed by men from the isles, Colquhoun's death may provide an indication of the lack of support he enjoyed in the area of the Lennox. Colquhoun was "slane in Inchmuryne underneth ane assouerence" and it is conceivable that his death was connected to the presence of Duchess Isabella in the vicinity.[24] That Isabella could re-claim the earldom from as early as May 1437 and could possibly bring in outside assistance to remove James' local agent suggests that there was a continued resentment of the forfeiture of Duncan.[25] This may have been based on a desire to retain the earldom as a military and political unit, which was threatened by James' acquisition of the

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23 In these accounts, Fife is worth £560, Lennox £216 and Menteith, without the lands granted to Malise Graham in 1427, but with Strathgartney, is worth £351. The old lands of the crown can hardly have been worth £1000 (*E.R.*, vi, lxxii-cxlvi).
24 C.A. McGladdery, *James II* (Edinburgh, 1990), 160. Duchess Isabella was on Inchcailloch in 1437 and was in Inchmurrin by 1442.
25 Fraser, *Keir*, nos. 18, 19.

lands. It is possible therefore that the King's control of the Lennox was unpopular and that it only needed the return of a claimant to the earldom to focus these local loyalties. Isabella was possibly kept in custody by James precisely because she could provide such a focus, and the speed of her return to power in the Lennox suggests that, if she was only released after the King's death, there was an existing body of support for her in the earldom.[26]

During the early part of James' reign there was a more potent claimant to Lennox than Duchess Isabella, a man both hostile to the King and outside his control. James the fat was a condemned traitor but following his attack on Dumbarton he had fled to Ireland accompanied by at least two other rebel leaders, Bishop Finlay and John Macalpin.[27] He had reportedly taken refuge in the 'Erschery of Ireland', the gaelic part of the Lordship of Ireland outside the control of the English administration in Dublin.[28] Later evidence would suggest he was in Ulster and from there he was a potential threat to the King of Scots. If the King was not completely secure in the Lennox there was the possibility that at some point James Stewart would advance his claim to the earldom with the support of the Lennox-men in exile with him. The survival of the male Albany Stewart line held greater dangers for the King. He had launched his attack on the family partly because they were too close to the throne

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26 The inability of James II and James III to annex the earldom to the crown is perhaps a further indication that there was local opposition to such a move. Payments to Isabella in 1429 and 1434 indicate some degree of royal concern with her situation. The payment she received in 1434 occurs in the accounts of the bailies 'ad extra' between sums paid to John Kennedy for his expenses in Stirling castle and to Countess Ellen of Lennox, Isabella's mother, perhaps indicating that the two women were also being held in the castle (*E.R.*, iv, 473, 591).

27 *Scotichronicon*, XVI, Ch. 10, l. 34-37; *E.R.*, iv, 493. Bower states that James the fat escaped with "his other accomplices" which implies that a number of rebel leaders accompanied him.

28 *A.P.S.*, ii, 11, c. 18.

in right of succession but, despite his forfeiture, James Stewart could still push his claim in the event of King James' death.

Between 1425 and 1429, the King was clearly worried about the survival of his cousin in Ireland and the possibility he represented of an Albany Stewart restoration. The first indications of these fears about James the fat come from early 1426, possibly the date at which the King became certain of Stewart's whereabouts. A piece of parliamentary legislation originating from the royal council was issued at the meeting of the estates in March 1426 concerning contact with the lordship of Ireland.[29] The act directed "lords, sheriffs and all other officers upon the frontiers of Scotland lying against Ireland", presumably the coast from Galloway and Ayrshire up to Argyll and including the western isles and the Lennox, to prevent ships and galleys crossing to Ireland without permission. Two reasons for the law were stated: "Principally since the King's notorious rebels are resting in the Erschery of Ireland and for that cause passengers might do prejudice to this realm". That the King attempted to prevent contact between James the fat and Scotland suggests that he knew or feared the existence of Albany Stewart sympathisers within his kingdom who could give James aid or information in Ireland or support his return. That the other reason for the act was the fear that England could interfere in Scottish affairs via Ireland may be a sign that the King was worried about the English attitude to his success of 1425, and was perhaps connected to James Stewart's presence on what was, nominally, English soil.[30]

At about the same time, the King sent a letter to the Pope asking for Bishop Finlay to be deprived of his diocese. At the beginning of May instructions were issued to Bishop Wardlaw of St.

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29 *A.P.S.*, ii, 11, c. 18.
30 Legislation was also included preventing Scottish ships returning from Ireland with unauthorised passengers.

Andrews and Bishop Stephenson of Dunblane to investigate the accusations against Finlay.[31] The instructions reported that the King had informed the Pope that Finlay was "so much hated by the clergy and laity that he cannot be tolerated in those parts without very great scandal". It is possible that the bishop really was unpopular, but the King may have been worried about his influence in Argyll should he return to his diocese. The apparent ineffectiveness of the King's involvement in the dispute between Campbell of Lochawe and the Laird of MacCorquodale, two local landowners, and an outsider, John Scrymgeour of Dundee, which lasted from 1427 until 1432, suggests the limits of royal influence in the area.[32] However, the death of Finlay in 1426 or 1427 removed the worries about his local prestige gaining support for James the fat.[33]

James Stewart's place of refuge in Ulster also brought him into contact with the MacDonald lordship of the Isles.[34] The possession of the Glens of Antrim by Alexander of the Isles' uncle, John mor MacDonald, provides the obvious route of this contact and it seems likely from subsequent events that between 1425 and 1429 that James the fat was in touch with the lordship.[35] This may be reinforced by the fact that the King followed his legislation against unauthorised contact with Ireland by starting to favour the Earl of Mar, the main Scottish opponent of the lordship, possibly indicating royal

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31 *C.P.R., Letters*, vii, 473-74.
32 *H.P.*, ii, 158-72.
33 *Scotichronicon*, XVI, Ch. 10, l 37-38. As George Lauder was provided to the see of Argyll in 1427, Finlay presumably died between June 1425 and this latter date (Dowden, *Scottish Bishops*, 286).
34 That James was in Ulster and in contact with the MacDonalds is suggested by its geographical proximity to western Scotland. James was also supposed to have had a son by a 'woman of the MacDonalds' (*S.P.*, i, 151). Finally events in 1429, when the Lord of the Isles reputedly formed an alliance with James, suggest earlier contact (A. Cosgrove, ed., *A New History of Ireland: Medieval Ireland* (Oxford, 1987), 576).
35 Munro, *Lords of the Isles*, xxiii.

awareness of links between Stewart and the MacDonalds in Antrim.[36] While the survival of James Stewart was probably part of the reason for the deterioration in crown-lordship relations between 1426 and 1428, its effects on the King's relations with the lowland political community are less clear. The support they had given the King against the rebellion of James the fat and Stewart's possible links with the lordship would have led the other Scottish magnates to disregard his position. However, James Stewart's survival was clearly enough to worry the King about a possible Albany Stewart revival and perhaps also the security of his line until he could produce a male heir by Queen Joan. Fears about the succession were mentioned in the French negotiations of 1428 and the King must have been anxious to prevent any discussion of rival claimants or successors.[37]

The King's position between 1425 and 1428 was, therefore, one of new strength relative to his nobility, coloured by a lack of complete security. The success against the Albany Stewarts created enemies amongst his subjects. A number of minor landowners and adherents of the Albany family were probably never reconciled to James' actions. Men like John Wright and William Lindsay, whose careers had been cut short by the fall of Duke Murdac, were always going to be a potential source of trouble to the King. In 1425 James was probably more worried about another consequence of his victory. His success in winning magnate support in 1424-5 was probably based on expectations of rewards being distributed to his backers. Failure to do this would create tension between James and his most powerful subjects, but the King must have been anxious to avoid giving away too much of his newly-won authority.

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36 *R.M.S.*, ii, no. 53.
37 Archives Nationales, J, no. 69.

This authority was presumably based on the political community's perception of James' new strength. This would be represented in concrete terms by the growth of royal landed resources, but the actual destruction of the Albany Stewart family within Scotland may have been equally important. On a national scale, the closest rivals to James in terms of blood, influence and land no longer existed, depriving the estates of their natural leader in any concerted opposition to the King. The lands and history of the family linked them inextricably with central politics and magnates like Douglas and Mar, whose interests were much more regional, could probably not replace the Albany Stewarts in this role. At a local level there was no earl in Fife, Lennox or Menteith able to command a powerful affinity in those areas. The territorial influence of Murdac in Fife and Duncan and Walter in the Lennox was the basis of their physical threat to James. Their deaths meant that the King had to deal with fewer active earldoms and, although his position in both Fife and Lennox may not have been completely secure, his officials and influence must have been predominant in both areas. Grants from his new lands to his supporters like John Scrymgeour and John Spens must have increased this local authority.[38]

The weakening of the higher nobility as a group, relative to the crown, must have emphasised the power and prestige of the King. Robert II and III, dominated, as they were, by the combined resources and influence of their chief subjects, had been unable to achieve any great respect for the royal position.[39] James' victory over the Albany Stewarts clearly created a new sense of the authority of the

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38 Scrymgeour received lands in the Lennox forfeited by Thomas, one of Earl Duncan's bastards, and Spens, who already held lands in Fife and Lennox, was granted estates in Menteith (S.R.O., RH 6/293; GD 1/1042/2; *R.M.S.*, ii, nos. 45, 187).

39 Though David II had been able to rule effectively without a strong landed power-base due to the customs revenue he received.

crown. He had placed stress on the rights and symbols of the crown during this crisis in a deliberate attempt to rebuild the royal status in Scotland. This would associate his personal success closely with a resumption of active kingship. The qualities of political awareness and, more importantly, ruthless aggression which the King showed must have created respect for his authority. They had allowed James to achieve the first royal success in dealing with magnate opposition since David II's reign. The example was probably not lost on the surviving earls and there must have been an increased desire to avoid a clash with the King. The way in which this new style of kingship affected the relations of the ruler and his leading subjects is shown by the changes in the positions of the three chief earls who had survived 1425, Douglas, Mar and Atholl, between Albany's execution and early 1428.

ii. The End of the Crown-Douglas Alliance

Of the men who actively supported the King's campaign against Albany, Archibald, 5th earl of Douglas had the most cause to expect to benefit from James' victory. His family had been closely linked to James' release and his political survival in the early months of the reign. The major involvement of Douglas adherents on the King's council has already been discussed. Although with the departure of Borthwick as a hostage in 1425 and the end of Seton's role as a regular royal councillor, there was less contact between lay supporters of the earl and the King, James continued to favour ex-Douglas churchmen like Fowlis, Fogo and Cameron. Perhaps more ominously, the Douglas family had suffered a loss of influence in the Lothians and south-eastern Scotland which the King had probably encouraged. However, the new earl probably saw these losses as the inevitable result of Verneuil, and the royal confirmation of Bothwell to Douglas and his wife in March 1425 probably led him to anticipate further benefits following the trials at Stirling.[40]

Part of the reason for the consistent support of both the 4th and 5th earls of Douglas for James' return may have been the belief that, with the weakening or destruction of the Albany Stewarts, the influence of the Black Douglases would increase automatically. Douglas was still the dominant magnate in much of southern Scotland and may have hoped to inherit a major role in central politics as the King's chief lay subject. It would be natural, in any case, for the earl to aspire to re-create the power of his father. An obvious step towards this would be the extension of the earl's authority over Wigtown and Galloway. Although Margaret, duchess of Touraine, the

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40 That no members of the Black Douglas family were sent as hostages in 1424 or 1425 may be part of this royal favour.

mother of the earl and the King's sister, was still in control of these lands she had apparently not been granted them officially.[41] It is possible that the King had encouraged Douglas to believe that the lands would be re-united to the main Douglas estates following the execution of the Albany Stewarts. Such a prospect would certainly have encouraged the earl's continued backing in early 1425.

If so, by Christmas 1425, when Douglas was at the King's court at St. Andrews, he may have been growing impatient for his rewards to materialise, six months after Murdac's execution.[42] A display of impatience on the part of the earl may have confirmed the fears which James probably possessed about the ambitions of the Douglases. The reduction in royal influence in the south which would result from renewed Douglas predominance on the marches would clearly not be welcomed by the King. Therefore, in early 1426, James set out to demonstrate his ability to curb the potential independence of the Earl of Douglas in southern Scotland and to control, or at least regulate, the internal organisation of the Douglas lands.

Following the King's Christmas court at St. Andrews, it seems likely that the Earl of Douglas accompanied James to Edinburgh and was with him there on 8 January.[43] However, within a month the earl was at Lochmaben castle confirming a grant of lands in the lordship of Annandale, and it is plausible to assume that, from at least early February until parliament opened at Perth on 11 March, Douglas was

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41 *R.M.S.*, ii, no. 143. She may only have been left as 'steadholder' for her husband.
42 *Scotichronicon*, XVI, Ch. 14, l. 11-14.
43 *R.M.S.*, ii, no. 31. Although this charter has no witness list, as Douglas was with the King until Epiphany, according to Bower, it seems likely that he would have travelled south to Edinburgh on 6-8 January with James. Moreover the charter was a confirmation of lands in Carrick to John Fogo, Abbot of Melrose, the King's confessor. The earl's connections with both Melrose and its abbot have been discussed and it is interesting that in 1424 and 1430 at similarly delicate points in crown-Douglas relations, Melrose was connected with the dealings of King and earl. This makes it reasonable to assume the earl's presence in 1426.

involved in the administration of the marches and his south-western lands.[44] However, it seems likely that at some point during this five week period the King began his action against the Earl of Douglas. This may have commenced with discussions between the King and his immediate advisers in late February, but the crucial stage was probably James' meeting with the 5th earl's uncle, James Douglas of Balvenie.[45] This meeting took place at Edinburgh less than a week before the opening of parliament.[46] That the King only left for Perth after 7 March suggests a deliberate decision to meet Balvenie away from the location of the parliament, perhaps to keep their discussions secret from the political community.[47] Given the probable course of events, James' confirmation of Balvenie's title to lands in Lanarkshire and East Lothian at this point is clearly of significance.[48] These lands formed the most important block of Balvenie's holdings and allowed him influence in areas close to the centre of Scottish politics. The King's charter was therefore a clear indication of royal trust and favour. Moreover, the men who witnessed the confirmation suggest that something approaching a full privy council had assembled. Four of the men who had been on that body in November 1424 were present with the King. These were Balvenie himself, John Forrester, Walter Ogilvy and Thomas Somerville of Carnwath.[49] In addition, John Cameron, Robert Lauder of Bass, Semple of Eliotstoun and Alexander Seton attended the meeting. Of these Semple, Lauder and Cameron were trusted royal agents. The Alexander Seton named was probably the son of the Lord of Gordon and

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44 Fraser, *Douglas*, iii, no. 386.
45 *R.M.S.*, ii, nos. 32-36.
46 *R.M.S.*, ii, nos. 38-40; *A.P.S.*, ii, 9-12.
47 James' absence from the meeting-place of the estates until three days before the parliament contrasts with his previous parliaments when he was present several days in advance (*R.M.S.*, ii, no. 18; *E.R.*, iv, 379-99).
48 *R.M.S.*, ii, nos. 38-40.
49 S.R.O., GD 119/167.

appeared as 'squire of the King', though one with important political connections, especially in the area of Balvenie's northern lands.[50]

The purpose of the council with Balvenie may be explained by the role he played in the events of 1424-5 when he had acted both as his nephew's chief adviser and as the main representative of the Black Douglas interest on the King's council. This contact with James I and influence with the 5th earl obviously made Balvenie a key figure in the action which the King planned. As his career would seem to indicate, James Douglas of Balvenie was primarily concerned with the build-up of his personal position, and maintained close links with successive earls of Douglas chiefly as a means to this end.[51] In March 1426, therefore, Balvenie was probably prepared to wield that influence with his nephew to the King's advantage in return for James' confirmation of his main power-base and possibly the hope of continued employment in royal service.[52] The King presumably wanted to use Balvenie as a 'middle-man' to persuade the Earl of Douglas not to cause trouble following the crown's interference in the family's holdings and to allay any fears of this interference marking the onset of a sustained campaign of hostility towards the whole Black Douglas affinity. It is also possible that Balvenie's dealings with the King were in his nephew's interests in dissuading both sides from a more general clash. Certainly, the importance of Douglas of Balvenie's role throughout the King's involvement in the Black Douglas lands is shown by his presence with James I during the formalisation of the settlement of affairs in both Selkirk and

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50 The elder Alexander Seton had been knighted and would probably have been received a title based on his lands (*Scotichronicon*, XVI, Ch. 10, l. 9).
51 This is best illustrated by his behaviour from 1437 to 1440 when he acted both as the deputy for his nephew and great-nephew, and was the chief beneficiary of the termination of the main line of the family.
52 Balvenie's position at court was probably based on his influence with his nephew.

Galloway, when he received additional charters which confirmed his estates in the north-east.[53]

That the March 1426 parliament was immediately preceded by the King's grants to Balvenie and followed in April and May by the ratification of the extended royal rights in Selkirk and Margaret, duchess of Touraine's position in Galloway, makes it highly likely that the King's action in both cases was initiated at this meeting of the estates. The parliament had been called chiefly to levy a tax for payment of the ransom and although general legislation was passed which strengthened the authority of the crown, there is no clear evidence, either in the *Acts of Parliament* or in the later references to the royal action, to prove the discussion of the affair before parliament.[54] However, that William, 8th earl of Douglas regained the family's rights in Selkirk and Galloway by a decision of the parliament of January 1450 is evidence that the fate of the two areas was still considered to be connected, perhaps because they had been dealt with together in 1426.[55] The 1450 act may also show that parliamentary permission was required to reverse the earlier decision, possibly indicating that the King obtained the support of the estates for his 1426 settlement. As both the King and his sister, the Duchess of Touraine, were secure in their new postions before the parliament re-assembled at Edinburgh on 12 May, if any debate was undertaken on the issue it must have occurred in the March assembly.[56] Even if the subject was not formally dealt with, it was probably at Perth that James informed the Earl of Douglas of his intentions. That the resumption of Selkirk in the 1450s describes a 'donation or resignation' being made by the 5th earl to James I may

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53 *R.M.S.*, ii, nos. 43, 49.
54 *A.P.S.*, ii, 9-10.
55 *A.P.S.*, ii, 63-4, c 16, 17.
56 *R.M.S.*, ii, no. 47; *Scotichronicon*, XVI, Ch. 14, l. 25-27.

reflect a lack of knowledge about the details of the affair, which points to a private rather than a public handover.

It seems likely that the King's interference in Selkirk began immediately after the parliament broke up at the beginning of Easter week, as royal officials had certainly been at work in the area prior to the exchequer audit which began in mid-April.[57] The desire to keep in touch with these officials and be in a position to react to any trouble in southern Scotland probably explains the King's speedy return to Edinburgh after the March parliament. James was already in the city by 27 March.[58] The Earl of Douglas' whereabouts from Easter to the end of June are unknown but in early July he was at the castle of Newark, the centre of his lordship of Selkirk and Ettrick forest, which could indicate that, throughout, he kept a close eye on the crown's actions in the area.[59] However, on 18 April, during the exchequer audit, the King granted a further charter of confirmation to James Douglas of Balvenie, which would seem to suggest that the latter had successfully prevented an open clash between the Earl of Douglas and the King over the Selkirk lands.[60]

The scale and precise nature of James I's actions in these lands is not clear. The lordship of Selkirk and Ettrick was of considerable value to the Earl of Douglas in both financial and strategic terms.[61] The main evidence of some form of takeover in the lordship by the crown is provided by the charter and act of parliament of 1450 by which James II returned them to the 8th earl of

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57 *E.R.*, iv, 400-427; *Scotichronicon*, XVI, Ch. 14, l. 25-27.
58 *A.P.S.*, ii, 26.
59 W. Fraser, ed., *The Scotts of Buccleuch*, 2 vols (Edinburgh, 1878), ii, 25.
60 *R.M.S.*, ii, no. 43.
61 The lands provided the basis for the Douglases' influence in the middle marches and certainly made them the dominant figures in Selkirkshire. According to the crown rents of the 1450s the lordship of the Forest was worth over £500 (*E.R.*, vi, cxv-cxvii, 223, 370, 619).

Douglas. The charter says that the King, "grants the aforesiad William (Douglas) all rights appertaining to him in the aforesaid lands (Selkirk and Ettrick forest) by reason of whatever resignation or other donation of Archibald, earl of Douglas made to James I concerning the said lands".[62] That this resignation occurred in 1426 is suggested by a probable annexation to the crown of the rights and dues of the burgh of Selkirk at this point. The crown had apparently not received any revenue from the fermes or little customs of Selkirk burgh prior to 1426, but in the audit of the exchequer of that year there is a memorandum from the bailie of the burgh.[63] This memorandum reported that the deputy-chamberlain had just completed a measurement of the burghal sections and that a full account would be rendered in the next audit. That this process of assessment was still being undertaken must indicate that Selkirk had just come under the machinery of royal government and had presumably ceased to be under the control of the Earl of Douglas. That the bailie responsible for the memorandum, William Wood, did not receive a fee for his work of assessment until two years later, emphasises the fact that the burgh was not organised for payment in 1426.[64] However, it seems unlikely that Selkirk burgh and its fermes were intended as a part of the rights of the crown mentioned in the 1450 charter, as James II only resumed control of them in that year after an apparent gap of fifteen years from 1434. The burgesses rendered accounts in 1450 and 1451 and the burgh was clearly not handed back to the Earl of Douglas.[65]

There are other indications that the King established rights for the crown in the lordship of Selkirk and Ettrick. For instance, the

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62 *R.M.S.*, ii, no. 308; *A.P.S.*, ii, 63, c. 16.
63 *E.R.*, iv, 419.
64 *E.R.*, iv, 460-61.
65 *E.R.*, iv, 400, 440.

accounts of the burgh consistently refer to pieces of land in the hands of the King due to the process of recognition.[66] Although these holdings presumably lay in the burgh of Selkirk, the fact that the King was prepared and able to insist on his feudal rights concerning them is an indication of the increase of the crown's ability to interfere in the area. Prior to 1426 the Earl of Douglas had probably fulfilled this role as feudal overlord.

More significantly, a payment from 1434 for six barrels of tar for the King's sheep in the forest of Selkirk would seem to indicate that James had established rights for the crown within the Earl of Douglas' Lordship.[67] That these possibly extended beyond sheep is suggested by the King's dealings in August 1426 with William and George Middlemast, two officials of the earl in the Forest. William Middlemast was vicar of Selkirk and a chaplain of Douglas, and with his nephew, George, had been granted life-rent of the office of master of the ward of Yarrow in December 1425.[68] This may well have been a traditional family role, as a William Middlemast was still in the office in 1466 when the lordship was under royal control.[69] The King's involvement with these local officials of the earl at such a sensitive time must be significant. James not only confirmed the Middlemasts in their positions, he also ratified a grant of lands in Selkirk from Douglas, as earl of Wigtown, to William Middlemast.[70] This grant and his position as the earl's chaplain suggest that William was a Douglas adherent. It is possible therefore that King James was re-assuring these local agents of the earl that the crown's new rights within their jurisdiction would not affect their offices

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66 *E.R.*, iv, 460, 495, 521, 551.
67 *E.R.*, iv, 576.
68 *R.M.S.*, ii, no. 58. The forest was divided into three wards, Ettrick, Yarrow and Tweed, each administered by their own officials (*E.R.*, vi, cxv-cxvi).
69 *E.R.*, vi, 225, 371, 443, 544, 620; vii, 24.
70 *R.M.S.*, ii, nos. 58, 59.

or estates. However it is also conceivable that by issuing a confirmation so soon after his restrictions on the earl, the King was emphasising his authority and possibly establishing links with Douglas' local supporters. It is certainly interesting that, in 1432, William Middlemast, vicar of Selkirk, appears as a chaplain of the King, perhaps reflecting the new royal influence in the area of his benefice.[71]

From this limited evidence it seems as if the crown's interference in the lordship of Ettrick and Selkirk was on a small-scale and was concerned with the establishment or resumption of royal rights in the area rather than any annexations of actual Douglas estates. The rights in question do not appear to have been of great importance in themselves. The purpose of the King's actions was to display his ability to extend his influence and press the rights of the crown in an area which had always been a heartland of the Earl of Douglas' support and which, under the 4th earl, had been, to a large degree, beyond the central government's reach.

If the loss of these rights in the Forest was less of a material blow to the earl than an indication of the new political conditions, the same was clearly not the case in Wigtown and Galloway.[72] According to the rents obtained from the area in 1456, Galloway was worth over £750, a sum which, even if it was scaled down for the earlier period, must have represented a sizeable proportion of the income of the Earls of Douglas.[73] The importance of Wigtown and Galloway explains the 5th earl's apparent anxiety to recover these lands from his mother and probably also the delay of the King in taking any final action as regards Galloway. That the King waited

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71 *C.S.S.R.*, iii, 231.
72 Galloway was generally divided into eastern and western parts, divided at the river Cree. The eastern was the actual lordship of Galloway and the western the earldom of Wigtown.
73 *E.R.*, vi, 193, 643-64.

until 3 May before issuing the Duchess of Touraine with a charter of the lands may indicate that he was waiting to see the response of the earl to his action in Selkirk. It could also be that in early May Duchess Margaret was with the King in Edinburgh and that some kind of formal ceremony took place at which she received a grant of the lordship of Galloway in life-rent.[74] The King confirmed a charter of Maxwell of Caerlaverock on the following day.[75] Maxwell was a close supporter of Douglas and his presence suggests that the earl or some of his vassals were also present. That this grant took place a week before parliament re-assembled and that the King probably met with Douglas of Balvenie on 11 May could indicate that another council-meeting had been held by James in the first week of May as it had been before the March meeting of the estates.[76] Balvenie received a final charter of confirmation for his lands which is probably a sign that, as previously, the King was satisfied with the role he had played in his relations with the 5th earl.[77]

By this point, Douglas can have felt little reason for satisfaction. It is conceivable that Balvenie's charter of 11 May was connected to Douglas' attendance at and acceptance of the grant to his mother. Unless there had been a permanent grant of the Galloway lands to Duchess Margaret by the 4th earl, his son must have been their nominal overlord from 1424 to 1426. In any case, his acknowledgement of the new situation was essential. However, it cannot have been anything other than humiliating for the earl to see the crown grant away lands which had been the basis of his grandfather's power and which, until a few months before, he had

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74 *R.M.S.*, ii, no. 47.
75 *R.M.S.*, ii, no. 48.
76 *R.M.S.*, ii, no. 49.
77 *R.M.S.*, ii, nos. 72, 77, 79. In the following January Balvenie received the lands of Stewarton in Ayrshire from the King as Steward of Scotland. This may be connected with the events of 1426.

probably been hoping to re-unite with the main estates of the family. It was presumably some consolation that the lands remained within the family and that on the death of Duchess Margaret they would return to the Earl of Douglas.[78] This element of continuity was stressed in the charter to the duchess saying that she would hold the lordship, "as Archibald, duke of Touraine, brother of the King, and Archibald, father of the said duke held it in their time".[79] Even with the prospect of the eventual return of the lordship, it is likely that Douglas was unhappy about the loss of Galloway, which was, at root, an attempt by the King to reduce the earl's influence by prolonging what was probably a temporary administrative role into a life-grant.

The fact that the Duchess of Touraine was now secure in her tenure of the lordship of Galloway, which clearly included both Wigtown and Kirkcudbrightshire, was bound to have implications for the politics of the region. Most importantly, it seems likely that, in the latter part of 1426, there was some kind of clash between Duchess Margaret and William Douglas of Lesswalt. Douglas of Lesswalt had been sheriff of Wigtown, and from, perhaps, as early as 1420 until 1424 may have acted as the chief lieutenant of the 4th earl of Douglas in Galloway.[80] As a major landowner in north-western Wigtownshire he was well equipped to wield local authority in the lordship.[81] However, although he was initially able to retain the office of sheriff on Margaret's assumption of control, he had lost it by, at the latest, October 1425.[82] It is possible that the office was suppressed by the King, along with the earldom of Wigtown, as

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78 In the event Duchess Margaret outlived the 5th earl by over ten years and the lands had to be forcibly extracted from her by the 8th earl.

79 *R.M.S.*, ii, no. 47.

80 *R.M.S.*, ii, no. 12.

81 *E.R.*, vi, 196, 348; *R.M.S.*, ii, nos. 86, 87. William Douglas hald the lands of Lesswalt and others in the Rhinns of Galloway in Wigtownshire.

82 *R.M.S.*, ii, no. 255.

Douglas usurpations following the succession of the 5th earl, but the removal of Lesswalt from local authority probably also strengthened the position of Duchess Margaret. It seems likely therefore that Douglas of Lesswalt had reason to hope that the 5th earl would resume control of Galloway and appoint him as his chief local representative.

The grant of life-rent of the lordship to the duchess must have made Lesswalt anxious about further pressure on his position, especially over his dispute with Andrew Agnew. Agnew had a claim to the constabulary of Lochnaw in the far west of Galloway, which had been granted by either the 3rd or 4th earl of Douglas to William of Lesswalt. According to one source the Agnews were driven into exile by the Black Douglases and returned later to the court of Robert III where they entered the service of Princess Margaret.[83] That Agnew was referred to by the duchess as 'her squire' presumably indicates his membership of her household in 1426, and this link probably guaranteed her support of his claims against Douglas of Lesswalt.[84] If the duchess was pressing Agnew's claim to Lochnaw within a few months of the grant of Galloway, this may well have led to an open breach between her and Douglas of Lesswalt. It also seems likely that Lesswalt extracted a confirmation of his main estates and received a promise of compensation before agreeing to resign Lochnaw. This compromise may have been reached at Threave on 24 October 1426, where Lesswalt received a charter from Duchess Margaret confirming his Wigtownshire lands.[85] The significance of this grant may be emphasised by the fact that the consent of the Earl of Douglas is

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83 A. Agnew, *The Hereditary Sheriffs of Galloway*, 2 vols (Edinburgh, 1893), i, 236-37.
84 *R.M.S.*, ii, no. 183. A grant of lands in the burgh of Innermessan which Agnew received on 14 October 1426 was probably also connected with the favour of the duchess.
85 *R.M.S.*, ii, no. 86.

specifically included. This provides the only example of the earl's involvement in Galloway from 1426 and suggests that he added his weight to the settlement between his mother and Douglas of Lesswalt. Lesswalt had probably supported the earl's claim to the lordship of Galloway, which would suggest that the earl's involvement was as William Douglas' backer. The witnesses to Lesswalt's confirmation show that the 5th earl had brought a sizeable following with him to Threave. The presence of major Douglas vassals and supporters like Maxwell of Caerlaverock, Herries of Terregles and Kirkpatrick of Closeburn must indicate a forceful intervention in Galwegian affairs by the earl. It may show that he was not prepared to see Douglas of Lesswalt exposed to the hostility of the Duchess of Touraine, but it could also be that local feuding had occurred between Agnew and Lesswalt, and the Douglas affinity encouraged the earl to bring about a settlement. The events following the Threave meeting suggest that a compromise agreement had been reached under the influence of the Earl of Douglas. On 10 November, Lesswalt granted the office of constable of Lochnaw to Agnew at Wigtown, thus relinquishing the castle but retaining a claim to be the superior of Agnew in the office.[86] Finally, sixteen days later, the Duchess of Touraine granted Douglas of Lesswalt lands in both Wigtown and Kirkcudbright, presumably as compensation for Lochnaw.[87]

Although there are no indications of further involvement by the Earl of Douglas in the internal running of Galloway, it may be that contact between the parts of the family estates was maintained during the rest of the reign, at least on a small-scale. The Earl of Douglas continued to use the title of Lord of Galloway, which indicates his continued rights in the area, and his intervention in

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86 *R.M.S.*, ii, nos. 183-84; *H.M.C.*, xv, app. 8, 10, no. 5.
87 *R.M.S.*, ii, no. 87.

1426 may have shown the duchess that she could not ignore the ability of her son to influence the affairs of Galloway, and that he possessed the backing to quell disturbances which she may have lacked.[88] It is possible therefore that the 5th earl continued to exert a degree of influence in the area despite the grant of May 1426.

The attitude of the King to events in Galloway is unclear. It may be significant that from late July to late August he was principally concerned with north-eastern politics. This would suggest that he did not expect trouble in the south-west, but it may have been at about this time that friction began between the duchess and Douglas of Lesswalt. It is interesting that, following the events in Galloway during October, Lesswalt was anxious to receive acknowledgement of the situation and obtained the King's confirmation of his charter in March 1427. Agnew only had his title to Lochnaw confirmed in 1431, which would seem to indicate that Lesswalt had a greater reason to be nervous of the crown's attitude.

In any case, it is likely that, by the autumn of 1426, the King felt he had achieved his immediate aim in his dealings with the Earl of Douglas. There is no indication that the major royal offensive needed to upset radically the political and landed balance of southern Scotland was considered by the King. As has been stressed, James was concerned to make a largely symbolic increase in royal authority at the earl's expense and was anxious to avoid pushing the earl too far.

The importance of the links between James and a number of Douglas' associates was a major factor in helping the King reach this balance. The role played by Balvenie has already been considered, but it is likely that other adherents of the earl were anxious to

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88 Fraser, *Douglas*, iii, nos. 386, 390, 391, 392.

retain good relations with the King. The Middlemasts in the Forest provide a clear example of this, as does Lesswalt in 1427. It is also interesting that two of Douglas' officials in Annandale, Maxwell of Caerlaverock and Michael Ramsay of Lochmaben, received royal confirmations of Douglas grants in 1426 and early 1427.[89] It is possible that fears existed about the status of Annandale, but it is more likely that these two men were seeking to maintain good relations with James.[90] Maxwell had been involved in the attack on the Albany Stewarts while Ramsay was to serve as the custumar of the west march and have some kind of responsibility for the household of the King's children.[91] These men probably also wished to prevent any major clash between James and Douglas.

Similarly, by 1426, the presence of ex-Douglas servants amongst James' officials may not have been of help to the earl. John Cameron and William Fowlis were both increasingly important royal agents, but they were dependent on royal patronage for their continued advancement and would hardly have risked that by supporting their former employer.[92] It is also significant that, in 1426, a former royal councillor, Edward Lauder, archdeacon of Lothian, was Douglas' chancellor. It is possible that he was a royal nominee, as in May 1426 he was described as being "on the business of the King ... and the said duke (Douglas)".[93] In February of that year, Lauder had attended James' council and had also been present with the King the

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89 *R.M.S.*, ii, nos. 48, 70, 71.
90 Annandale was received from the Dunbars in 1409. The validity of grants made by the Earls of March after 1400 was later questioned but relations between James and the Dunbars were good at this point.
91 *E.R.*, iv, 473, 516, 529, 602.
92 Cameron was keeper of the privy seal by June 1425, keeper of the great seal in April and May 1426, and by the summer of 1427 was chancellor and bishop of Glasgow (*R.M.S.*, ii, no. 89; *C.S.S.R.*, ii, 94; *E.R.*, iv, 400, 428). Fowlis replaced him as keeper of the privy seal in 1426 (*R.M.S.*, ii, no. 88; *E.R.*, iv, 400)
93 *C.S.S.R.*, ii, 130-31.

day after the grant to Duchess Margaret.[94] This involvement with royal affairs during a period of crown-Douglas tension may indicate that the earl was further surrounded by royal supporters. Certainly Lauder was also described as a "clerk of the King" in 1426 and by 1429 was James' procurator.[95]

Douglas was clearly in a difficult position in 1426, and not surprisingly accepted the restrictions placed upon him by the King. The subsequent dealings of the two men suggest that, although real tensions remained, a form of working arrangement had been reached in 1426. Douglas' role was reduced to that of his grandfather, the 3rd earl, as the dominant magnate in the south-west, the west and middle marches and Lanarkshire. It was the exercise of this local influence which largely occupied Douglas for the remainder of the reign. James was probably satisfied that the earl's wider ambitions had been curtailed and that he would concentrate on his local role and effectively police the area of his local predominance.

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94 *R.M.S.*, ii, nos. 32-35, 48.
95 *R.M.S.*, ii, nos. 32-35, 48; *C.S.S.R.*, iii, 46.

iii. The Earl of Mar and Royal Government Beyond the Mounth

The King's mistrust of the authority wielded by the Earl of Mar in the north-east of Scotland was based on similar grounds to his worries about the Earl of Douglas. As with Douglas James' primary concern was to ensure a degree of royal authority in an area which had been largely beyond the reach of the Governors. In dealing with both Mar and his main rival, the Lord of the Isles, the King was aiming to create a political situation which he could actively influence. James' relations with Mar were further complicated by the actions of both men during the King's attack on the Albany Stewarts, Mar had been a late and probably reluctant supporter of Murdac's execution and in the first two years of the reign had suffered from the King's suspicions about his links with Albany. James cut the financial, military and political ties between the earl and the central government which, before 1424, had allowed Mar to police the north-east effectively. At the same time James seems to have struck a political deal with Alexander, lord of the Isles, to gain his support against the Albany Stewarts. These moves suggested a real threat to the position of Mar in the north and probably encouraged him to attempt to placate the King by supporting him in condemning Murdac. Mar may also have sided with James on the expectation of receiving a confirmation of his rights, and those of his bastard son, Thomas, to the earldom of Mar.

However, it seems likely that James' doubts about the earl still remained, and that the King's actions regarding northern Scotland in 1424 and early 1425 created additional tensions. The criticism of the King's favourable treatment of "hieland men", coming as it did in the March 1425 parliament, may have been inspired by Mar and Albany to embarrass James, but it clearly received support from the

estates.[96] It was the complaint of lowland landowners against the disorder and violence of highland society, and is evidence of the growing distinction perceived between 'domestic' and 'wild' scots. This distinction was probably fuelled by the growing unity of the west under the lordship and the spread of MacDonald influence into Ross and Moray, accompanied as it was by large-scale violence. By dealing with Alexander of the Isles, James had failed to appreciate the hostility towards the lordship from families like the Ogilvies, Forbeses and Irvines of Drum, who had memories of Harlaw and other clashes. Mar represented leadership against this threat, and it is probable that Alexander Forbes and Walter Ogilvy, who were royal councillors and vassals of the earl, were attempting by March 1425 to persuade the King to end his link with the lordship.

From the execution of Albany in May 1425 until Christmas of that year there is only negative evidence to suggest the King's response to the criticisms of his treatment of northern affairs. That James remained near Edinburgh in the period would seem to indicate that the administration of the north was not seen by him as a pressing problem.[97] At the same time, James did not give Mar the confirmation of Thomas' rights to the earldom which he sought, and the fact that he made no move to give the earl's authority in the north his approval would seem to indicate that the King continued to mistrust Mar. However there were no further signs of royal links with the lordship which, given the events of the following year, may show that the King was beginning to realise the dangers of the lordship and its association with violent disorder for the smooth running of government beyond the Mounth. This realisation may well have dated

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96 *A.P.S.*, ii, 8, 25.
97 *R.M.S.*, ii, nos. 21-24; S.R.O., RH 6/268. This latter grant is, however, of lands in the lordship of Aboyne in Aberdeenshire.

from March 1425 and the hostility displayed towards the Lord of the Isles by the estates.

It is possible that James' aim in the north was to solve the local problems by successfully filling the power-vacuum which had existed since the 1370s in central Moray. The lordships of Urquhart, Badenoch and Lochaber had been part of the old earldom but in the fifty years before 1425 they were the focus of local disorder.[98] The MacDonalds had gained control of Lochaber in the fourteenth century, and in the 1390s were clearly pressing into the other areas.[99] However, from 1411 Mar had also made some inroads on the Great Glen and Badenoch, probably based in part on his father's links with the area as Lord of Badenoch. Mar was certainly in control of Inverness, and was granted the profits of Urquhart and Badenoch in 1420, which at least gave him a stake in establishing order in Moray.[100] The earl was also in contact with the MacKintoshes, who were the most powerful local kin-group, and he may have been able to control the routes through Badenoch and into Perthshire and the north-east lowlands.[101] Mar's son Thomas was sheriff of Inverness in 1426 and was probably responsible for maintaining the family position in the west.[102] However, the loss of government support in 1424 must have made Mar's ability to control Badenoch doubtful and brought the threat of renewed disorder to areas further east. To replace this influence the King may have looked at alternatives to both Mar and

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98 Grant, *Independence and Nationhood*, 206-209.
99 Munro, *Lords of the Isles*, xxx-xxxi; no. 14.
100 Fraser, *Menteith*, i, 261-62.
101 Mar and Thomas Stewart witnessed a resignation of Elizabeth Grant to her son, James MacKintosh at Kildrummy in 1419 (W. Fraser, ed., *The Chiefs of Grant*, 3vols (Edinburgh, 1883), iii, no. 22).
102 Fraser, *Grant*, iii, no. 24. Thomas was also in Inverness castle in 1414 and was the bailie of Kirdell in Moray. He is recorded on two occasions as Lord of 'Bonach'. This could be identified with Badenoch or more plausibly, Bona, six miles south-west of Inverness (*The Book of the Thane of Cawdor*, ed. W. Fraser, Spalding Club (Edinburgh, 1859), 5-6, 7-8).

the lordship which would allow a greater degree of royal influence in the north.

In view of this possibility it is significant that in the exchange of hostages for the ransom, which the King engineered in August 1425, he secured the release of Alexander Seton of Gordon and Thomas Dunbar, earl of Moray.[103] James may have hoped to use one or both of these men to provide effective royal control of the area beyond the Mounth and replace Mar. It is certainly interesting that neither Moray nor Seton of Gordon was closely associated with Mar's local dominance. There may even have been a degree of local rivalry between the two men and Earl Alexander, whose control of strategic lands and, under the Albany Stewarts, central government patronage, may have been frustrating to his neighbours.

Moray in particular had reasons to resent Mar's successes since 1404. It was Mar's father, the Wolf of Badenoch, who had inherited parts of the old earldom of Moray and who had been the Dunbars' main local enemy. The success of the Earl of Mar in establishing himself as the major local magnate must have been resented by the Dunbar earls of Moray. The extension of Mar's influence must have restricted Moray's authority to the coastal shires of Nairn and Elgin. Similarly it was clearly Mar who was the dominant figure in Inverness, and it is possible that he was interfering in the running of Moray's estates. Thomas Stewart was acting as bailie of Kirdell, a part of the earldom of Moray, in 1414 and witnessed a grant of lands in the same barony in 1422.[104] That a brother of Mar's associate Gilbert Menzies, the provost of Aberdeen, was a vassal of Moray in Kirdell may point to the growing influence of Earl Alexander impinging on Thomas Dunbar's estates. As the Dunbar earls were not vassals of Mar, apparently did not benefit

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103 *C.D.S.*, iv, no. 984.
104 Fraser, *Cawdor*, 5-8.

from his patronage, and must have aspired to a position of local importance, these indications of their rival's stranglehold on the north-east under the Albany Stewarts cannot have been welcome.

A number of events from the period prior to James' release suggest that Thomas, the third Dunbar earl of Moray, was seeking to escape the effects of Mar's authority by increasing his links with the lordship of the Isles. In August 1420 Moray made a re-grant of lands in the barony of Kirdell to William, son of Henry Graham, who had resigned them.[105] This act was witnessed by Mary Leslie as 'Lady of the Isles and Ross' and a number of Ross and Moray landowners. That Moray had gone to Rosemarkie in Ross to seek this ratification of the grant is evidence of the Earl of Moray's links to the MacDonalds. The document is clearly a sign that Thomas Dunbar was prepared to acknowledge the title of Mary Leslie and the lordship to the earldom of Ross which, even if it was a recognition of the physical facts, involved a visible rejection of the claims of the Albany Stewarts which Mar was obviously supporting. In the light of this contact, the marriage dispensation of 1438 in which a 'Mariota de Ile' is described as the widow of Thomas of Dunbar is of significance.[106] This Mary can probably be identified with the daughter of Donald lord of the Isles who had obtained a dispensation to marry Celestin Campbell in February 1420.[107] As the Campbell match is not mentioned in the 1438 supplication it was probably not carried through. It is possible therefore that at some point after 1420, Moray entered a marriage alliance with the MacDonalds.[108]

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105 Munro, *Lords of the Isles*, no. 20.
106 *C.S.S.R.*, iv, no. 504.
107 *C.S.S.R.*, i, no. 172.
108 Moray does not seem to have married Isobel Innes, the mother of his daughter Janet. An alliance between Moray and the lordship in 1420 would not have been a new development. In 1394 Thomas' father had entered into an indenture with Donald of the Isles' brother, Alastair of Lochaber, for aid against Mar's father, the Wolf of Badenoch (Munro, *Lords of the Isles*, no. 14).

In the political circumstances of 1425 these ties to the lordship may have been seen as advantageous to James, who had probably accepted the rights of Mary Leslie in Ross. He may have been considering re-constructing the dominant position of the Moray earldom in the north-east as a means of blocking a further spread eastwards of the influence of the lordship and as a check on the power held by Mar in Aberdeenshire. The King must have had the lordships of Badenoch, Urquhart and Strathavon in his hands following the lapse of Mar's indenture with the Duke of Albany and therefore, in theory, possessed the landed resources to achieve this. It may be that in thinking in terms of establishing Moray as a check on both Mar and the lordship, James was following a similar plan of Robert, duke of Albany. In 1415 a supplication was sought for the marriage of Thomas Dunbar, then heir to Moray, to Euphemia Leslie, the heiress of the earldom of Ross.[109] As Euphemia was Albany's ward, the initiative for this must have come from the duke, who presumably saw this marriage as a means of undermining the position of the lordship in Ross. However the planned marriage was abandoned and Euphemia instead resigned her rights to Albany's son John, earl of Buchan.[110] It would seem likely that the abrupt end of the marriage negotiations was the result of pressure on Albany from Mar. It was certainly Mar whose influence would suffer if the Dunbars became established in both Moray and Ross.

It may have been to provide Moray with support in Banff and north-western Aberdeenshire that the King hoped to gain the adherence of Alexander Seton of Gordon. The apparent lack of contact between Gordon and Mar before 1424 would seem to suggest that, like Moray, Alexander Seton was not an integral part of Mar's following in the

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109 *S.P.*, vi, 302.
110 S.R.O., RH 6/243.

north-east. The energy with which his family pursued its claims to lands and eventually established local dominance following Mar's death may be evidence that the Gordons too were restricted by Earl Alexander's authority. The story that Seton of Gordon made a private truce with Donald of the Isles prior to Harlaw is plausible, despite being related solely by Hugh MacDonald in the seventeenth century.[111] Donald would certainly have passed through Gordon's lordship of Strathbogie on his way into Aberdeenshire, and Alexander Seton, lacking the support of Mar, may have opted for a neutral position. The friendly relations between the Setons of Gordon and the lordship in the 1440s may already have been established by 1424 at some level.[112] The similarities which existed between the two families' political positions may have encouraged the King to see them as a joint means of governing the north. The marriage of Moray's cousin and eventual heir, James Dunbar of Frendraught, to a daughter of Seton of Gordon was probably an additional link of political significance, despite James Dunbar's absence as a hostage from 1424 to 1427.[113]

The presence of the Earls of Mar and Moray with the King at his Christmas court of 1425 at St. Andrews must reflect the concerns of both the King and the two northern landowners about the uncertain political situation prevailing in the area beyond the Mounth. It would be interesting to know whether there was a significant attendance from Aberdeenshire, Angus and Moray amongst "the princes

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111 *H.P.*, i, 29.
112 This later friendship is shown by the Lord of the Isles' grant of the barony of Kingedward to Seton of Gordon to be held in life-rent (Munro, *Lords of the Isles*, no. 39).
113 R. Lindsay of Pitscottie, *The Historie and Cronicles of Scotland*, Scottish Text Society, 3 vols. (Edinburgh, 1899-1911), i, 64; ii, 345; *C.S.S.R.*, iii, 209. Pitscottie names Gordon's daughter as Katherine but she is named as Margaret in the supplication for her remarriage.

and magnates" who, Bower reports, were present.[114] If James had intended to use the council to begin a display of his authority over Mar there is no evidence to suggest that he was successful. The events of the next year show that any attempt to involve Moray and Seton of Gordon more closely in the administration of the north must have been blocked.

The reasons for James' failure may be connected to a charter granted by the Earl of Mar to Seton of Gordon just over a fortnight before Christmas at Mar's castle of Kildrummy.[115] In this charter the earl granted Gordon the lands of Gerry and Cocklarachy in the barony of Drumblade, estates, near to Gordon's own, which had been resigned to Mar in October 1423 by Walter Lindsay of Kinneff.[116] The timing of this grant and the probable role of Seton of Gordon in the King's plans may link it to the meeting at St. Andrews where these plans were probably debated. It is significant that the only previous grant by the earl to Seton of Gordon took place in January 1424 during the manouvering prior to James' return.[117] That at two major crisis points in his control of the north-east, just before and just after Gordon's spell as a hostage, Mar made deliberate attempts to strengthen his relations with his neighbour, suggests that the earl was worried about Alexander Seton's attitude. In 1425 it must also have been the result of hurried negotiations between Mar and Seton of Gordon in the north. If this was the case then it may be connected to the closer contacts which existed between the earl and his new vassal after 1425.

That Seton of Gordon had already given his support to Mar in the weeks prior to the Christmas court probably persuaded James to

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114 *Scotichronicon*, XVI, Ch. 14, l. 11-14.
115 *A.B.Ill*, iii, 517.
116 *Spalding Misc*, iv, 127.
117 *A.B.Coll*, 555.

abandon any attempt to determine the government of the north at that point. It is likely that in any case doubts were being raised about the scheme, by the landowners of the north-eastern lowlands. There must have been fears that any royal attempt to support Moray would result in large-scale conflict in the area between Mar, the lordship and Earl Thomas and a return to the chaos of the 1390s. In addition the experience of Harlaw probably convinced many Aberdeenshire landowners of the need for a single magnate to defend the area against the lordship. The ability of Mar to command the support and resources of the area probably made him the only effective representative of central authority in the lands beyond the Mounth. It is hard to judge how serious the King was in his attempts to restrict Mar's position, but his failure to support the earl in the north, coupled with the return of Moray and the latter's presence at St. Andrews, make a plan to alter the basis of central government influence in the north a possibility.

Between the King's Christmas feast and the continuation of parliament in May 1426 James was probably preoccupied with his attempt to establish his authority over the 5th earl of Douglas. At the same time he must have been considering a major intervention in the government of the north. The presence on James' council of Alexander Seton, 'squire of the King', son of the Lord of Gordon, may be an indication of this.[118] The younger Seton's position in the King's household and, later, his marriage to a Hay heiress are presumably signs of royal favour to the family.[119]

Before May 1426 the King seems to have recognised the need to reach an agreement with the Earl of Mar to provide effective government in the north of the kingdom. Negotiations for this

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118 *R.M.S.*, ii, nos. 38, 39, 40.
119 *R.M.S.*, ii, no. 73.

probably took place in Edinburgh in the week before parliament re-convened on 28 May. Alexander Forbes received permission from the King to appoint deputies in the office of bailie of the Bishop of Moray on 20 May.[120] James allowed Forbes to delegate his role because he was involved "in our many arduous tasks (*negociis*)". These tasks probably began with discussions between the Mar Stewarts and the King. Forbes had already played the role of intermediary in the winter of 1424-5 when Mar was persuaded to abandon Albany, and he was clearly trusted by both sides. It is likely that Mar or his agents were also in Edinburgh by 20 May. Thomas Stewart, the earl's son, was certainly present.[121] As the prospective heir to the earldom of Mar and the main representative of his father in Inverness and Moray, Thomas had a strong interest in gaining the promised confirmation of his succession and restoring financial support for Mar's military role. Thomas was accompanied by a number of clerics and burgesses from Inverness, and these men may have informed James about the local effects of his policies. The main result of these talks was the grant of the earldom of Mar and Garioch to Alexander and Thomas Stewart.[122] This grant occurred on 28 May, the day parliament re-assembled. Alexander would hold Mar for his lifetime and it would then pass to Thomas and his heirs, even though the latter was a bastard. This grant had been consistently sought by the Mar Stewarts and was an indication that James recognised their importance for the stability of the north.

The presence of Thomas Stewart at these talks may mean that it was at this point that discussions began concerning his marriage to

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120 *A.B.I.L.*, iv, 389.
121 Fraser, *Grant*, iii, no. 24.
122 *R.M.S.*, ii, no. 53. Failing the heirs of Thomas the earldom would revert to the crown thus ruling out the Erskine claim to Mar which Earl Alexander had been worried about in 1420. Robert Erskine himself was a hostage from 1424 until 1427.

Elizabeth Douglas, the widow of John, earl of Buchan. It seems likely that the King was thinking in terms of this match as early as February 1426. On 25 February James confirmed two charters of Robert, duke of Albany, granting lands to his second son, John, earl of Buchan and Elizabeth Douglas.[123] The estates concerned were the barony of Tillicoultry in Clackmannanshire and the lands of Touchfraser in Stirlingshire. They were granted to John and Elizabeth for the lifetime of the longer surviving partner. Given Buchan's death at Verneuil, this grant must be seen as a confirmation of Elizabeth Douglas in those lands entailed upon her at her marriage. Since it was a year and a half since Verneuil it is hardly likely that this confirmation was simply the result of Elizabeth's widowhood. It is more likely that it was in early 1426 that the King was thinking in terms of negotiating a marriage between Thomas and Elizabeth as part of a deal with the Earl of Mar.[124]

The value of the marriage to Earl Alexander and his son may have been greater than just the estates of Tillicoultry and Touchfraser. It was probably also a sign that the crown was prepared to let the Mar Stewarts control the substantial estates of the Earl of Buchan in north-east Scotland. This may be partly connected to James' treatment of his niece Elizabeth in late 1424. At this point the King resumed control of lands in the Stewartry and Carrick which had been granted jointly to Elizabeth and her first husband.[125] It is possible that in exchange James granted the countess part of the lands of Buchan in the north-east which had been annexed to the crown following Verneuil. Countess Elizabeth certainly retained possession

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123 *R.M.S.*, ii, nos. 36, 37; i, nos. 892, 948, 949.
124 The marriage of Elizabeth was presumably in the hands of her uncle, the King, and, given the increasing royal pressure on him, the Earl of Douglas, Elizabeth's brother, was hardly likely to be obstructive.
125 *R.M.S.*, i, nos. 945, 946, 947; ii, no. 77.

of the lordship of Coull in Aberdeenshire until her death, and the King may have granted her this estate, which had belonged to Buchan, in late 1424 or early 1426 when he was most interested in her position.[126]

As has been mentioned, the bulk of Buchan's north-eastern estates were seized by the crown in 1424 and were not granted out to the respective claimants. The King was probably keen to hang on to these lands in Banff, Buchan and south-eastern Aberdeenshire as a basis for royal influence in the area. However, it must be significant that, prior to Mar's death, there is no reference to any royal presence in these lands. After 1435 accounts refer to Buchan's lands of Aboyne and O'Neil as royal estates, which would seem to reinforce the view that they had been in the Earl of Mar's keeping.[127] The Countess of Buchan clearly had no rights to the lands after 1435, which indicates that no grant had been made to her, and they were not included in the accounts for Mar rendered in the late 1430s. This would seem to suggest that Aboyne and O'Neil were legally crown lands but were being administered by Mar and his agents until 1435. If this was the case then it is possible that Buchan's other north-eastern estates, and especially the barony of Kingedward, may also have come under Mar's control.[128] Any indication of Mar's authority in Kingedward would have been of great significance to Earl Alexander because of his father's connections with the lordship and the fears that it would be granted to the MacDonalds as a part of the Leslie inheritance.

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126 *E.R.*, v, 516.
127 *E.R.*, v, 9-10. Despite being in the hands of the Lords of Gordon and Forbes respectively, Aboyne and Oneil were included in the Exchequer accounts for 1436-7.
128 Kingedward does not appear in the exchequer accounts, but James I acted as its overlord (*R.M.S.*, ii, nos. 73, 110).

The proposed marriage between Thomas Stewart and the Countess of Buchan must have been an important step in securing control of John Stewart's estates. A dispensation for the marriage was granted on 1 May 1427, but the couple had clearly been in close contact before that date, and it is possible that Elizabeth travelled north with the King in the summer of 1426.[129] The royal progress to Aberdeen in July and August 1426 was probably also discussed at the meeting before the May parliament re-convened. The King's planned journey must be viewed in the same light as his meeting with the new Earl of Douglas at Melrose in 1424. In both cases, James' aim was to display the authority of the crown in those areas which had been largely beyond the reach of the Albany Governors. By going to the heartlands of Mar's influence the King would be able to display to the local population that the earl's predominance in the area stemmed from his position as the King's deputy.

The King probably set out from Edinburgh in early July and travelled north through St. Andrews on 18 July.[130] He was in Aberdeen on 12 August before returning south via Auchterhouse, north-west of Dundee, on 21 August.[131] By 28 August he had returned to Edinburgh. During this two month period James was concerned with the political situation in the north-east of Scotland and was working through the Ogilvy and Forbes families to continue his good relations with Mar. Alexander Forbes had been with the King in May and was on the King's council in Aberdeen.[132] From Aberdeen he returned to Edinburgh with James. It is reasonable to assume that Forbes' attendance as a royal witness was an indication of his involvement in the King's affairs, perhaps as a representative of the Aberdeenshire

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129 *C.S.S.R.*, ii, 156-7. The supplication records that Elizabeth and Thomas had "committed fornication several times".
130 *R.M.S.*, ii, no. 54.
131 *R.M.S.*, ii, nos. 55-58.
132 *R.M.S.*, ii, nos. 55-58; *A.B.Ill.*, iv, 389.

political community, and that this was one of the "hard tasks" which Forbes was undertaking for James.[133] This Forbes involvement in royal policy can presumably also be traced in the confirmation by James of the lands accumulated by Alexander Forbes' brothers as a result of their links with Mar.[134] Similarly James' contacts with the Ogilvies were also exploited on the trip to Aberdeen. The presence of Walter Ogilvy of Lintrathen, the treasurer, throughout the expedition may have been important in establishing links between the King and Patrick Ogilvy, sheriff of Angus. Patrick was probably present at Auchterhouse when James stopped there, and this meeting may have been of importance to the King. Patrick was a close adherent of Mar and, with the absence of the Earl of Crawford as a hostage, Patrick's responsibility for order in Angus and the defence of the area against cateran raids was probably increased.

While James' aim was probably to ensure his authority was recognised in the north-east it seems likely that Mar, Forbes and Ogilvy also made the King aware of the problems of defending the lowlands against raiding from the west. These problems may well have occurred as a direct result of James' doubts about Mar in 1424-5. The loss of rights to act as justiciar in the north and to claim the profits of Badenoch and Urquhart, which Mar had enjoyed under Murdac, and, more importantly, the loss of the customs revenue assigned to the earl, must have limited his ability to defend Aberdeenshire. The earl may have lost control of Badenoch and, as a result, renewed raiding into the lowlands may have started. It is possible that reports of this raiding contributed to the King's decision to go north.

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133 *A.B.Ill.*, iv, 389.
134 William Forbes of Kinnaldie had his Fraser lands confirmed at St. Andrews, and Alexander Forbes of Brux received charters of his lands in Mar (*R.M.S.*, ii, nos. 54-56).

James' response to his northern experiences is clear from the proceedings of parliament when it re-convened in late September 1426 at Perth. The King was clearly worried about the defence of the north-east, as parliament passed an act which stated that

> ilk lorde hafande lands beyonde the mownth, in the quhilk landes in auld tymes was castellis, fortalycis and manere places, big, repel and reforme thar castellis and maneris and dwell in thaim self or be ane of thare frendis.[135]

The government was clearly concerned that local landowners should maintain their fortified places in a state of readiness to improve the ability of the north to resist external attacks. This may be based on James' appreciation of the weaknesses of the defences of the north-east after the summer progress. The emphasis on providing a regular occupant of these strongpoints must be an attempt to establish the local leadership necessary to prevent cateran raids penetrating the coastal lowlands beyond the Mounth.[136] According to Bower, James undertook repairs of Inverness castle in 1427, which must be a consequence of his concern to re-establish the defences of the north.[137]

By September 1426, James clearly recognised that the best guarantees of a secure north were the personal authority and connections of the Earl of Mar. It seems plausible that the King entered into some kind of agreement with Mar to formalise the earl's position. Though such an agreement would probably not be in the same

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135 *A.P.S.*, ii, 13, c 7.
136 An example of how this act was put into practice later in the reign is provided by the indenture between Alexander, earl of Crawford and Alexander Forbes, which established Forbes as keeper of the castle and lands of Strathnairn in Inverness-shire. Crawford granted Forbes part of the revenue of the estate presumably to finance his tenure. Crawford, an absentee lord, was clearly ensuring the defence of an exposed estate by giving custody of the lands to a 'friend' able to police them actively (*A.B.III*, iv, 393).
137 *Scotichronicon*, XVI, Ch. 15, l. 24.

terms as Mar's indenture with Duke Murdac, it must have been designed to establish the earl with similar powers, and the resources to back those powers, in Moray and Aberdeenshire. The King may have made Earl Alexander his lieutenant in the north, a position which the earl certainly held during James' assault on the lordship of the Isles in 1431.[138] This position could have included the responsibilities and profits of enforcing justice in the north which Mar had possessed under the Governors and would have represented a formal delegation of local power which preserved the theoretical authority of the King. As Robert II had granted a similar office to Mar's father it would further satisfy the earl's ambitions.[139] It may have been as the King's lieutenant in the north that Mar was allowed to administer the lands which Buchan had held in the area. In this case the earl probably received the profits of the lands of Kingedward, Aboyne and Oneil. These would replace the annuities which Mar had received before 1424, and would enable him to re-establish control in central Moray.

To further encourage Mar to resume the active defence of the north-east lowlands, James granted the lordship of Badenoch to the earl on 9 January 1427.[140] It was perhaps at this meeting at Edinburgh that the King made Mar his lieutenant. The grant was made in life-rent but it gave the earl a greater incentive to restore his authority in Badenoch and bring it to profit. This was especially the case as Badenoch had been the first major estate of Earl Alexander's father, but had never been granted to Mar despite his

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138 *The Family of Rose of Kilravock*, ed. C. Innes, Spalding Club (Edinburgh, 1848), 128.
139 *R.M.S.*, i, no. 556. Robert II's grant of the office in 1372 excluded the earldom of Moray from his son's authority as lieutenant. It would be interesting to know if Mar's powers included the Moray earldom.
140 *R.M.S.*, ii, no. 76.

role in the lordship under the Albany Governors.[141] Therefore, James granted Badenoch as patronage, which hardly touched the real resources of the crown, but which must have been of great significance to Mar. The life grant encouraged Mar to maintain close relations with the King and would allow the resumption of the lordship, if it was restored to profit without much loss. The position of Urquhart, the other main area for which Mar was responsible in 1420, is not clear.[142] Urquhart castle was clearly a royal stronghold in 1429 and it is possible that before that date it lay beyond the control of the King or his lieutenant.[143]

The grant of Badenoch and the formal re-establishment of the authority of Alexander, earl of Mar, in the north must have allowed the earl to resume the role he had played in the area prior to 1424. The attempts of the King to end his dominance had not only failed but had he continued with his hostility towards the earl, the King could have faced a situation of large-scale unrest similar to the one in the 1390s. The lesson of the 1390s, when the central government had tried to remove Mar's father from a position of local authority, and had merely brought about a conflict in Moray which spilled over into the rest of the north, was one which was clearly in the minds of many lowland landowners. Initially, however, the King was not aware of the special situation beyond the Mounth. He may simply have viewed the rivalry of Mar with Moray and the Lord of the Isles in the same

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141 *R.M.S.*, i, no. 530; Fraser, *Menteith*, i, 261-62.
142 Mar's father had been heir to the lands of Urquhart but had not gained possession of them (*R.M.S.*, i, no. 537).
143 *E.R.*, iv, 498. The presence of Mar in Edinburgh in January 1427 may have been connected with the grant of a charter by the King to Alexander Seton, the heir to Gordon, and Egidia Hay, heiress of Tullibody. The charter was a confirmation of their marriage settlement which brought to the Gordons the lands of Tullibody in Clackmannanshire and estates in Banff and Kingedward. The marriage is an indication of royal favour to Alexander Seton, and Mar's probable attendance may be a sign of his closer relations with his increasingly influential neighbour in the north-east (*R.M.S.*, ii, no. 73).

light as that of Douglas with Angus and March in the south. James' attitude was probably further coloured by mistrust of Mar's connections with Albany. By 1426, though, the King's contact with men like Alexander Forbes and Seton of Gordon had convinced him of the need to restore Mar's position, and his readiness to do so is further evidence of his political flexibility in the opening period of the reign. Throughout the period James was seeking the political situation in the north most favourable to his own influence in the area, and although he was forced to accept Mar, his visit to Aberdeen and the changes in the revenue received by the earl were probably designed to increase the King's stature in the north-east.

iv. The King, Atholl and Strathearn (June 1425 - November 1427)

Compared with the King's mistrust of the local influence and general ambitions of the Earls of Douglas and Mar, James' relations with Walter, earl of Atholl, during the first half of the reign were apparently excellent. Unlike his treatment of Douglas and Mar, the King seems to have encouraged the extension of Atholl's local influence and increased his political standing in Scotland. The reasons for James' confidence in his uncle are clearly to be found in the bond established between the two men during 1424-5 and in the belief that political interest would lead to the continuation of the alliance. The King's trust in Atholl rather than, for example, Douglas, who also provided support for James in the opening years of the reign, shows an appreciation by the King of Walter's political goals and the similarities of their positions. For both men the destruction of the Albany Stewarts was a major political breakthrough after long periods in which their influence was limited. Atholl's enthusiastic support for the King's attack on Murdac probably underlay his attendance on the royal council at several crucial points in 1424 and 1425 and could also explain Bower's later accusation that Walter was "the author, instigator, and principal adviser" of the execution of Albany and his sons.[144] The permanent removal of the Albany Stewarts was essential for Atholl, and he may have persuaded the King that it was equally important for the crown.

The forfeiture of Albany was so important to Atholl becuase, as has been mentioned, he was overshadowed by Murdac in the area of his chief local ambitions, Perthshire. Duke Robert and Duke Murdac held a number of estates in Perthshire. The most important of these were Strathbraan, Glendochart, Appin of Dull and the lands on the east and

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144 *Scotichronicon*, XVI, Ch. 27, l. 24-28.

west shores of Loch Tay, which gave the dukes a considerable concentration of property in the Perthshire highlands, and the lordships of Logierait, Kinclaven, Fortingall and Strathord in the Tay valley to the north of Perth.[145] Together these lands were worth over £330 in the 1450s and, with the earldom of Menteith on the border between Perthshire and Stirlingshire, the Albany Stewarts were almost certainly the wealthiest magnates in the area from the 1370s until 1425.[146] Backed by the control of the central administration by the family, this landed position must have made them the predominant local figures in Perthshire. The frequency with which the Dukes of Albany used Perth as a political centre and their links with Perth burgess families like the Chambers, the Halls and other suggest that they saw the burgh as within the area of their control.[147]

However, by 1424, Atholl had reached a position of rivalry with his Albany Stewart kinsmen, both within the burgh of Perth, with which Walter too had connections, and in Perthshire as a whole. Although the lands held by Walter in the early part of his career were the lordship of Brechin and the estates in Fife, which he gained through his marriage to Margaret Barclay in 1378, he seems to have been involved in Perthshire from the death of his brother, David Stewart, in about 1389.[148] David had held the lucrative Perthshire earldom of Strathearn, as well as the much less valuable earldom of

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145 Fraser, *Grandtully*, i, 143, no. 84; 191, no. 113; S.R.O., RH 6/196; Fraser, *Menteith*, i, 147. Kinclaven had been held from the late fourteenth century by Murdac as heir of Duke Robert.

146 *E.R.*, v, 474, 481.

147 John Chambers was chamberlain of Duke Robert and Christian Chambers was secretary of Buchan. John was also custumar of Perth and his sons Thomas and Christopher were burgesses of the burgh and connected with Albany. The Hall brother's participation with the Chambers in the murder of the King suggests a similar political background (Fraser, *Grandtully*, i, no. 7; *James I, Life and Death*, 51, 58; *E.R.*, iv, 89, 109, 514).

148 *R.M.S.*, i, nos. 652, 689; *Registrum de Panmure*, ed. J. Stuart, 3 vols. (Edinburgh, 1874), ii, 228.

Caithness, and on his death these lands passed to his daughter, Euphemia. Walter was appointed as one of Euphemia's tutors, presumably as her father's only full brother, and he was clearly involved in the administration of Strathearn in the 1390s.[149] Ironically, given later events, Walter's interest in Perthshire at this point was probably encouraged by Robert Stewart, the future Duke of Albany. Robert may have hoped to use his youngest brother as a means of protecting his Perthshire lands and those of his supporters, from the disturbances to the north in Moray. Men from northern Perthshire were certainly involved in the raid on Glasclune in Angus in 1392, and were therefore connected with Alexander, lord of Badenoch, Robert and Walter's brother.[150] Alexander was clearly in conflict with Robert from 1388, and his influence with men from the Perthshire highlands must have been a source of anxiety for the government. Walter was paid for expeditions to the highlands in 1391 and 1392, making it likely that he was acting as Robert's deputy in northern Perthshire.[151]

The rewards which Walter received for this support reflected the areas of his ambitions. In about 1400 he was granted the earldom of Caithness by his niece, Euphemia, Countess of Strathearn, and in 1404 he received his first Perthshire estates, the earldom of Atholl and the lordship of Methven, in a grant from Robert, duke of Albany.[152] While this latter grant may be connected with Walter's role in the death of Rothesay, the previous holder of Atholl, it is more likely that there were local reasons for these acts of patronage. The resignation of Caithness by Euphemia gave Walter a portion of the

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149 *H.M.C.*, vii, 705, no. 16; W. Drummond, *Genealogie of the House of Drummond*, 40-41.
150 *A.P.S.*, i, 579; *Scotichronicon*, XV, Ch. 3, l. 1-5; *Wyntoun*, iii, 58.
151 Grant, *Independence and Nationhood*, 207-9; *E.R.*, iii, 274, 310.
152 *R.M.S.*, i, App. ii, nos. 1959, 1765.

estate which his only full brother had held and in which he had been involved since 1389. The grant may, however, mark the point at which his administration of Strathearn ceased and plans for Euphemia's marriage to Patrick Graham began.[153] The marriage finally took place in about 1406 and the grant of Atholl and Methven may have been a further effort by Albany to conciliate Walter.[154] Subsequent events suggest that Walter did not see his rewards as adequate compensation. Although he held two earldoms, he was the only son of Robert II not to hold this rank during his father's reign. Walter was clearly not satisfied with his position. Caithness was largely worthless as anything more than a title, and Atholl must have held problems for Walter. At least one Atholl family, the Robertsons of Struan, had been opposed to Walter in the 1390s and this must have created difficulties for the new earl's attempts to extract support and income from the area.[155] In any case, the accounts of the 1450s suggest that Atholl was worth considerably less than Strathearn, and Walter probably resented the fact that Albany had granted the latter earldom to the younger brother of his associate, William Graham.[156]

Of the lands granted to Walter between 1400 and 1404 the most significant was the lordship of Methven. In the 1450s, the lordship was a compact estate whose main holdings all lay within seven miles of the caput of Methven castle. It was valued at this point as worth over £112 and, given its size and proximity to Perth, it was probably possible for Walter to gain similar sums in the earlier part of the century.[157] It is conceivable that Methven was of greater political

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153 Patrick Graham was a younger brother of William, lord of Graham, who held lands in Strathearn (Fraser, *Menteith*, ii, no. 56). That Euphemia used the seal of "our father" William Graham in 1401 may indicate that the marriage was already being planned with a member of the Graham family (*H.M.C.*, vii, 705, no. 18).
154 *S.P.*, viii, 259.
155 *A.P.S.*, i, 579; *Wyntoun*, iii, 58.
156 *E.R.*, v, 170, 415-6.
157 *E.R.*, v, 481.

and financial value to Earl Walter than Atholl, and it is surely significant that almost all his charters originate from Perth or Methven castle, and that the earl only once issued a document from within the earldom of Atholl.[158] From 1404, therefore, Walter's career was centred on Methven and his regular presence in the castle was presumably the basis of his influence with the burgh of Perth.

Possession of Methven also allowed Walter a base from which to continue to influence events in Strathearn, which lay directly to the west of his lordship. It is probable that Atholl used his local position to back the men he had supported in Strathearn during his guardianship of Countess Euphemia. The most important of these was Sir John Drummond of Concraig who, as Steward of Strathearn, had been Walter's deputy in the area during the 1390s.[159] It was perhaps to reduce the influence of the old administration that the new earl, Patrick Graham, attempted to remove Drummond from office at the instigation of Drummond's rival, Alexander Murray.[160] The earl's initial attempt to achieve this failed, which suggests that Drummond, possibly supported by Atholl, was restricting Graham's activities. When, in 1413, Earl Patrick renewed his attack on Drummond with Murray's support, it seems to have precipitated an Atholl-Drummond coup in the earldom.

According to the seventeenth century history of the Drummond family, Patrick Graham was killed in an ambush on his way to "dispute" Sir John's court which was sitting at Crieff. Drummond gained "intelligence" of this and with his "friends" met and slew the earl "at first encounter" dispersing his men without further

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158 *H.M.C.*, vii, 706, nos. 24, 27; Fraser, *Menteith*, ii, no. 56; *Pitfirrane Writs*, no. 24; *Charters of the Abbey of Coupar Angus*, ed. D.E. Easson, 2 vols., Scottish History Society (Edinburgh, 1947), ii, no. cxxviii.

159 W. Drummond, *Genealogie of the House of Drummond*, 40-41.

160 *ibid.*, 42-43.

bloodshed.[161] Atholl's involvement is not explicitly stated, but it is interesting that Graham set out from Methven to launch his attack on Drummond. It is possible that Atholl was aware of Earl Patrick's plan and sent a warning to Drummond which enabled him to organise his ambush. Certainly the aftermath of the murder suggests that Walter was at least taking advantage of the situation to re-assert his influence in Strathearn. That Drummond was probably in Scotland for over a month after the murder before fleeing abroad may indicate that he was relying on Atholl's ability to establish control over the earldom.[162] His eventual flight and the execution of two of his supporters suggest therefore that Atholl was unsuccessful in this and by June 1414 Strathearn was being administered by Countess Euphemia.[163] Her position was probably backed by the Duke of Albany, who must have objected to the death of his supporter, and in 1414 and 1415 there were attempts to arrange a marriage between Euphemia and one of Albany's grandsons.[164] However the failure of these schemes and the acknowledgement, by 1416, of Atholl's authority in Strathearn as tutor of Euphemia's son, Malise, suggest that the Governor and countess had been forced to recognise that any attempt to continue the exclusion of Walter from the area would lead to major local violence.[165] One of Atholl's first acts as tutor of Strathearn was to appoint Malcolm Drummond, son of Earl Patrick's murderer, as Steward of the earldom.[166] Whether he was responsible for, or implicated in, the murder, Walter was clearly aware of the role played by the Drummonds in his return to power in Strathearn and was prepared to reward the family for it.

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161 *ibid.*, 44-45; *Scotichronicon*, XV, Ch. 23, l. 24-50.
162 *C.D.S.*, iv, no. 849.
163 *Scotichronicon*, XV, Ch. 23, l. 48-50; Fraser, *Keir*, no. 10; S.R.O., GD 160/1/9.
164 *C.P.R., Petitions*, i, 602; *S.P.*, viii, 259-60.
165 S.R.O., GD 160/1/9.
166 *ibid.*

Possession of Strathearn from 1415 or 1416 must have made Atholl almost the equal of the Dukes of Albany in terms of Perthshire lands. However this success had probably soured his relations with the Albany Stewarts, who had only grudgingly accepted the renewal of Walter's control of the earldom. Up to 1415, Atholl had received considerable patronage in lands and offices, presumably due in part to his good relations with Duke Robert, and had been a councillor of the duke on a number of occasions.[167] After the murder of Patrick Graham this link seems largely to have been severed, and the events of 1423-5 suggest that local rivalry was the basis of relations between Atholl and Murdac. Therefore, despite his accumulation of Perthshire lands, Walter was probably excluded from central politics and patronage from 1415 and faced renewed problems against the hostility of the Governors. After all, his position in Strathearn was only secure during the minority of Earl Malise. As Malise had probably been born soon after 1406, Atholl's position was growing increasingly insecure by the early 1420s. The choice of Atholl's son and heir, David, as a hostage for James' release must have provided another source of anxiety for Earl Walter, and explains why he was prepared to support the King's return so enthusiastically. The prospect of losing control over Strathearn and facing the hostility of the Albany Governors without this power-base was one which Walter would not have welcomed. Moreover he still lacked the influence outside the Earn valley to be able to dominate Perthshire as a whole. Perth was still regularly on the itinerary of Duke Murdac in the early 1420s and in 1423 the sheriff of Perth was Walter Stewart of Railston, whose connections were with the Albany Governors rather

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167 *R.M.S.*, i, nos. 883, 884, 885, 905, 941. He had received the lands of Cortachy from Albany in 1409 (*R.M.S.*, i, no. 910).

than Atholl.[168] Atholl's adherence to the King during 1424 and early 1425 and the removal of the Albany Stewarts ensured that this situation was to change.

The local position of Walter, earl of Atholl in Perthshire was, therefore, the product of a long and difficult career from at least 1389 onwards. He was only elevated to the rank of earl in middle-age and had to struggle to retain his influence in Perthshire until well into his sixties. Such a hard-fought political history clearly had an effect on Earl Walter. His involvement in the murder of Earl Patrick shows a readiness to resort to political violence to achieve his ends, and that he was able to force his brother, Robert, to back down over Strathearn is a mark of his political ability. Robert of Albany was probably the example followed by Walter in his political career. It was these qualities of ruthlessness and flexibility which made him so valuable to James and which were carried over into the period beyond the Albany forfeitures.

The combination of his hostility towards the Duke of Albany and a strong local power-base in Perthshire, which made up the position of the Earl of Atholl in 1424-5, also explains the success of Walter in the aftermath of Murdac's execution. The forfeiture of the Albany Stewarts removed the main landowners in Perthshire and gave the King a large landed stake in the area. In 1425 the earldom of Menteith and the numerous Albany estates around Loch Tay and to the north of Perth passed into royal hands, giving James the possibility of a new area of landed influence. As grants of land and revenue were made by the King in Strathord, Appin of Dull and Glendochart, royal title to

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168 Fraser, *Keir*, no. 12. Stewart of Railston witnessed for Albany on several occasions (*R.M.S.*, i, nos. 899, 901, 910, 920), and was a member of Buchan's expedition to France in 1421 (*Scotichronicon*, XV, Ch. 33, l. 30-43, where Walter is named Robert). Walter had been sheriff of Perth since at least 1381 (*R.M.S.*, i, app. ii, no. 1744; *E.R.*, iii, 82). He had also been involved in the defence of the area in the 1390s (*E.R.*, iii, 274, 290).

these estates was clearly maintained during the reign.[169] However, it is significant that in 1435, when the Queen received possession of the Appin of Dull, the lands were referred to as part of her dower lands.[170] If so it would seem likely that the estate was granted in 1425 when it came into royal hands and when James possessed the resources to endow the Queen. The ten year gap between the grant of the Appin of Dull and 1435, when the Queen actually received sasine of the lands, suggests that the King was experiencing difficulties in establishing secure control of some of his new Perthshire estates. That, unlike Menteith, the other former Albany lands in the sheriffdom do not appear in the financial records of the reign bears this out to some extent. Between 1424 and 1429 it is likely that the Earl of Mar was experiencing difficulties in controlling Badenoch and this may have exposed northern Perthshire to raiding and fostered locally inspired disorder. In these circumstances, the King probably needed a supporter to defend his interests. The obvious choice for this role was Walter, earl of Atholl. His links with the King were close and he had acted as the government's 'policeman' in the area in the 1390s defending it against attacks from Badenoch. The nature of Atholl's influence in these crown lands is probably shown by the fact that his adherent, John Spens, was bailie of Glendochart in 1428.[171] Atholl's links with this man make it likely that he was behind Spens' appointment, and, therefore, that he was responsible ultimately for the administration of these lands. As Earl of Atholl he held nominal authority over the lands of Logierait, Strathbraan and Appin of Dull, which had been part of the old earldom, and had feudal ties with the

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169 *H.M.C.*, vi, 691, nos. 19-21; vii, 707, no. 31; *E.R.*, v, 484. Although this dates from the next reign, the grant of the fermes of Glendochart to the Carthusians at Perth was probably part of the initial endowment of the priory by James.
170 *H.M.C.*, vi, 691, no. 20.
171 *Spalding Misc.*, v, 239-40.

main families of northern Perthshire.[172] More importantly he could count on the backing of his supporters in the Earn valley and Perth.

It was possibly during the period immediately after Albany's execution that Walter received the office of sheriff of Perth. However, the earliest reference to Atholl in that role dates from 1433, so the timing of his appointment is uncertain.[173] Walter Stewart of Railston, who was sheriff in August 1423, did not die until after 1435 and was therefore removed from his position at some point in favour of Atholl.[174] The links between Stewart of Railston and the Albany Governors make it possible that he was too openly bound to Murdac in 1425 to be retained in such a sensitive position. There are indications that Atholl held the office from as early as 1430 and, as James was clearly building up the earl's standing in Perthshire between 1425 and 1427, it was a natural piece of patronage to appoint Walter as sheriff of the area.[175] The office would, after all, formalise Atholl's position as the King's lieutenant in the sheriffdom.

That by the 1430s Atholl had appointed John Spens as his deputy in this office, is also significant.[176] The Spens family were important burgesses of Perth and held lands in the Lennox and in Menteith and Fife.[177] A William Spens had been custumar of Perth in the 1380s, and John held the same office from 1421 until the end of James' reign.[178] In the same year John Spens also appeared as

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172 Significantly, however, there is no evidence of contact between Atholl and the main families of the area, such as the Robertsons of Struan, Menzies of Weem and Campbell of Glenorchy.
173 *H.M.C.*, iv, 507, no. 120.
174 Fraser, *Keir*, no. 12.
175 *H.P.*, ii, 161, no. xxiii; *A.P.S.*, ii, 28.
176 *H.M.C.*, iv, 507, no. 120.
177 The family held Glendouglas in Lennox and Freuchie, Arnot, Lathallan and Kittidy in Fife. They also possessed Boquhapple in Menteith (S.R.O., GD 1/1042/2; RH 6/252; *R.M.S.*, i, app. ii, no. 1972).
178 *E.R.*, iii, 10, 173; iv, 345, 612.

provost of the burgh, and it is possible that his increased standing in Perth was connected to the growing influence of Atholl following Robert of Albany's death.[179] Spens' later career certainly suggests that his links with Atholl were of long duration and the Alexander Spens named as an "esquire of the earl" in 1421 was probably a kinsman of the provost.[180] The indications of royal favour which John received after 1425, his appointment as sheriff-depute and bailie of Glendochart and the increased evidence of his attendance on Earl Walter, all suggest that he was benefitting from Atholl's increased influence and was acting as the earl's chief subordinate. The importance of John Spens after 1425 must also mark a new stage in the relations between Atholl and Perth. The removal of the Albany Stewarts must have increased the earl's ability to influence the affairs of the burgh.

The local importance of Atholl in areas previously dominated by Duke Murdac may have been a reason for the earl's increased political significance after 1425. As well as the former Albany Stewart lands in Perthshire and the burgh of Perth itself, Atholl was probably more important in Fife as a result of the disappearance of the main local magnate. According to a document of 1437, the Fife lands around Moonzie and Cairnie were the only part of the Barclay inheritance which the earl had not granted to his son, David.[181] Whether or not the earl was keeper of Falkland, these lands and his position in Perthshire may have allowed him to establish connections with a number of former Albany Stewart supporters.

The servants of the Atholl family who received safe-conducts to attend David Stewart during his stay as a hostage included several

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179 *H.M.C.*, vii, 706, no. 27. In 1424 Spens founded a chapel in the parish church of St. John in Perth suggesting his status in the burgh (S.R.O., GD 79/4/128).
180 *H.M.C.*, vii, 706, no. 27.
181 *Panm. Reg.*, ii, 228.

interesting names. As well as John Spens and Alan Stewart, one of Walter's bastards, a John Wright and a Patrick Barclay are mentioned.[182] It seems likely that Wright was the former keeper of Falkland and that Barclay was a member of the Fife family which had been associated with the Albany Stewart household.[183] This link with Albany is reinforced by the presence of one Nicholas Hunter, chaplain, on the safe-conducts for Atholl's servants. Nicholas Hunter, rector of Forteviot, near Perth, had been a "secretary and continual familiar" of Robert, duke of Albany and was possibly the secretary of Walter Stewart of Lennox after the duke's death.[184] The location of Hunter's benefice, in the area of Atholl's main influence, made the former a natural convert to the earl after 1425. A final supporter of the Albany Stewarts who appeared in Atholl's affinity was Robert Graham of Kinpont.[185] Graham's links with the earl have a wider significance which will be discussed later, but it confirms the idea that Atholl was a natural source of lordship for several former retainers of the Duke of Albany. This suggests that Atholl's involvement in the death of Murdac was not so clear that it made him a natural enemy of Albany supporters. The geographical location of Earl Walter's estates and his status as the last surviving son of Robert II may account for his attraction to men like Hunter and Wright, who had probably suffered considerably from the forfeiture of their lord. Neither man can have recovered much of the influence which they possessed under the Albany Stewarts. The events of 1437, when Atholl's links with Robert Graham and a number of lesser Albany supporters were instrumental in the murder of the King, hint at sinister motives in these connections. It is perhaps too

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182 *C.D.S.*, iv, no. 963; *Rot. Scot.*, ii, 271, 273, 274, 275.
183 Patrick was possibly a kinsman of the David Barclay of Luthrie who was a squire of Duke Murdac (*Laing Chrs*, no. 99).
184 *C.S.S.R.*, i, 184; ii, 94; *Rot. Scot.*, ii, 276.
185 *Rot. Scot.*, ii, 281; Fraser, *Keir*, no. 15.

much, however, to assume that the earl possessed the Machiavellian foresight to appreciate such long-term possibilities in the late 1420s. It was probably simply an effect of his new standing in Perth and Fife that made his household a natural political centre for disappointed Albany men.

There is certainly no indication that James felt there was anything suspicious about Atholl's behaviour after 1425. He may well have preferred potential trouble-makers like John Wright to be attached to Atholl, and was happy for the earl to exercise some kind of control in the areas of greatest Albany influence. The King's treatment of the earldom of Strathearn provides a further indication of his favourable attitude towards Atholl and the role he played in Perthshire. In July 1427 the King granted Strathearn to Earl Walter for his lifetime.[186] In one sense James was merely confirming the existing situation in the area. As tutor of Malise Graham, Atholl had been exercising control over Strathearn since at least 1416 and the events of the Albany governorship had shown the dangers of attempting to exclude Walter from the earldom.[187] It is quite likely that Atholl could repeat the campaign of obstruction he probably waged against Patrick Graham. The links of Walter, earl of Atholl with the Drummonds of Concraig and the Oliphants of Aberdalgie, which were connected with Graham's murder, seem to have been reinforced in the period after 1416. Similarly the presence with Atholl on a number of occasions of lesser landowners in Strathearn like Tristram of Gorthy and Lucas Stirling suggests that he had entrenched himself within the earldom by 1424.[188] Although the attitude towards the new regime of locals like Murray of Gask and the Grahams, who also held

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186 *R.M.S.*, ii, no. 93.
187 S.R.O., GD 160/1/9; *H.M.C.*, vii, 706-7, nos. 24, 27.
188 Fraser, *Keir*, no. 10; *H.M.C.*, vii, 706-7, nos. 29, 30; *C.P.R. Letters*, viii, 460-1; *Coupar Angus Chrs*, ii, no. cxxviii.

lands in Strathearn, may well have been hostile, their ability to oppose Atholl was based on the support of Albany and was greatly weakened after 1425.

James had already recognised Atholl's long-term position in Strathearn in 1424 when he granted his uncle "the fruits but not the title" of the earldom and, although the earl continued to style himself as tutor of Malise, he was clearly working to gain the full rights to Strathearn.[189] The King was prepared to ignore the rights of Malise in May 1424 when he was desperate for Atholl's support and when the Graham family was associated with his enemies, but the terms of the agreement do not seem to have made Walter secure in his hold on Strathearn. It may have been to consolidate the 1424 deal that the earl received a formal grant of Strathearn in life-rent at Edinburgh on 22 July 1427.[190] Although it was clearly part of the King's support of Walter in Perthshire, the grant may have been caused by specific circumstances. In 1427, Malise Graham was probably about twenty years of age and questions may have been raised about the duration of Atholl's guardianship of the earl and his lands. Despite the 1424 arrangement, Malise still held the title to Strathearn and Atholl may have been concerned about his position in the earldom. The attitude of Malise's brother-in-law, Archibald, earl of Douglas, and the remainder of the Graham family may have been part of these worries, and there could have been the danger of a general reaction against the arbitrary disinheritance of Earl Malise.

It may have been for these reasons that, a month and a half after the grant of Strathearn to Atholl, on 6 September 1427, James granted a re-constituted earldom of Menteith to Malise.[191] This compensation may have been promised to Malise in return for his

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189 N.L.S., ADV 34.6.24, 82r; Fraser, *Menteith*, ii, no. 56.
190 *R.M.S.*, ii, no. 93.
191 Fraser, *Menteith*, ii, no. 57.

formal resignation of his lands, but he clearly lost in the exchange. In granting out Menteith the King retained part of the old earldom in royal hands. This crown lordship contained Doune castle and the valuable estates of Duchray and Drummond, whereas Malise seems to have received small and scattered lands, mainly in the west of the earldom on the Perthshire-Stirlingshire border.[192] The new earldom appears merely as a collection of rents without a clear political centre or territorial authority.

The limited nature of Malise's compensation may indicate that support for the earl was minimal and that, as has been suggested, the grant of Menteith to him was connected to the hostage situation.[193] The need for men of rank to replace existing hostages may have been widely felt and James was negotiating a second exchange during the summer of 1427.[194] Malise had been proposed as a hostage in 1423 but was released from his obligation, possibly because he was a minor.[195] If he was to be sent south as an earl in 1427 James could either have confirmed him as Earl of Strathearn or given him alternative lands. The former would have led the King into difficulties with Atholl, and he therefore created a new earldom for Graham and took the opportunity to give a further sign of trust in his uncle.

Whether it was due to Malise's approaching majority or the need for new hostages for the exchange of November 1427 in which the new earl went south, Earl Walter was the clear beneficiary of the affair. He was able to style himself Earl-palatine of Strathearn and Earl of Caithness and Atholl and had finally established himself in full control of his brother David's estates. The King's apparent generosity may have been linked to Walter's own son's continued

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192 *E.R.*, v, 474.
193 Balfour-Melville, *James I*, 149-50; Duncan, *James I*, 11-12.
194 *Rot. Scot.*, ii, 261.
195 *Rot. Scot.*, ii, 241-43.

imprisonment in England, but it is better understood as the product of Atholl's thirty-eight year attempt to gain control of Strathearn. It is hard to see how much was actually sacrificed by the King in the affair. Strathearn was effectively in Atholl's hands and any attempt to change this in favour of Malise would have been against James' interests. The earldom of Menteith granted to Graham, although it reduced the crown's lands in Perthshire, did not give away much of the royal gains of 1425. In any case, Malise was a hostage and could hardly exert much influence on his estates. Finally, by granting Strathearn to Walter in life-rent, the King was probably looking for long-term benefits. Atholl would be encouraged to work for a permanent grant by maintaining good relations with James. Moreover, as Atholl was in his late sixties and his heir was a hostage in England, the prospects of a royal takeover in the not too distant future must have appeared favourable. If this exchange of lands resulted in the King receiving Strathearn in return for a scattering of rents in Menteith and had, at the same time, dispensed patronage to his chief supporter, it was clearly a satisfactory arrangement.

However, the immediate importance of the grant of Strathearn to Atholl as a further sign of Walter's good relations with his nephew should not be ignored. His secure title to Strathearn confirmed Atholl's predominance in Perthshire, which had been largely the result of the King's successful removal of Albany. That Walter was as closely bound as his overlord to the fall of the Albany Stewarts may have been another reason for James' trust in his uncle. The status accorded to the earl in royal documents is a further indication of the importance of Atholl in James' council. In 1424-5 he appeared at the head of the list of laymen witnessing royal charters and was the first name on the assize for Murdac as recorded

by Bower.[196] Although Atholl was a less regular witness for the King after 1425, a fact which may reflect his local preoccupations, this position as the chief lay subject of James was maintained. The best example of this occurs in the list of those taking the oath to uphold the French alliance in 1428.[197] The list included all the lowland earls in Scotland at that point and seven bishops. The bishops were listed above the Earls of March, Mar, Crawford, Moray and Orkney but the Earls of Atholl, Douglas and Angus followed the King and Queen and precede the prelates. If this was the order in which the oath was taken in the general council, it seems clear that James distinguished between "our dearest uncle, Walter, earl of Strathearn and Atholl, and our dearest nephews, the Earls of Douglas and Angus" and the rest of the earls. Atholl seems to have headed this group of royal kinsmen and was, after all, the closest male relative of James and his, presumably undesignated, heir in 1428. It is significant that, in contrast to his distrust of the Albany Stewarts when they occupied the same position, the King does not seem to have feared Atholl's ambitions prior to the birth of twin sons to Queen Joan in 1430.[198]

Atholl appears as the chief Scottish laymen on a number of other royal documents in the late 1420s.[199] In 1430 he was named at the head of the earls on the judicial committee in the parliament of March of that year.[200] That there is a separate reference to an inquest being held under the sheriff of Perth at the same parliament may be evidence that Atholl was in charge of the judicial proceedings of the three estates.[201] By 1433 Atholl had been appointed justiciar

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196 *R.M.S.*, ii, nos. 4-10, 15; *Scotichronicon*, XVI, Ch. 10, l. 55-56.
197 Archives Nationales, J 678, no. 24.
198 *Scotichronicon*, XVI, Ch. 16, 139-40.
199 *R.M.S.*, ii, nos. 128-30, 138, 140; iii, no. 1928.
200 *A.P.S.*, ii, 28.
201 *H.P.*, ii, 161, no. xxiii.

north of Forth and he may have been fulfilling the duties of this office in 1430.[202] The previous justiciar, Patrick Ogilvy, had been in France since late 1428 and was drowned in early 1430 whilst returning to Scotland.[203] Atholl probably replaced him immediately. Atholl had previously held the office in the 1390s and was an obvious choice in the circumstances of 1430. This further indication of royal trust proves that James' good relations with his uncle persisted into the 1430s. The corresponding rise of John Spens, who received a grant of lands in Menteith in 1426, and was appointed comptroller in 1428, marks Atholl's influence in central government.[204]

The grant of Strathearn to Earl Walter and his proximity to the King during the political crisis of 1437 were not isolated indications of James' trust in Atholl. Through the first six years of the King's active reign, Atholl had received royal support in pursuing his local ambitions and was allowed to play a predominant role in Perthshire. It was as a close kinsman, politically bound to the crown, that James regarded his uncle for almost all his period of rule, and Walter's behaviour, both in 1424-5 and subsequently, must have encouraged the King in this view.

The relations between the King and the three men who, after 1425, were his main subjects, provide a good indication of James' attitude to the nobility in the aftermath of Murdac's execution. With Mar, Douglas and Atholl, the King showed a desire to regulate local authority within his kingdom, but at the same time he clearly recognised the strength and value of entrenched interests in these areas. For example, despite royal interference in Selkirk and

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202 *Coupar Angus Chrs*, ii, no. cxxviii.
203 Archives Nationales, J 678, no. 21; *Scotichronicon*, XVI, Ch. 26, l. 1-10. Although he received his commission to go to France in June 1428, Ogilvy was still in Scotland in July (*R.M.S.*, ii, no. 108).
204 *R.M.S.*, ii, no. 45; *E.R.*, iv, 466, 544.

Galloway, the 5th earl of Douglas' authority was not undermined. He remained the chief local magnate in those areas as his interference in Galloway in late 1426 showed. The King needed the earl to arbitrate in such local disputes and maintain order in the south-west. Similarly, James was also brought to recognise the importance of the position which Alexander, earl of Mar, had built up in the north-east. After a period of apparent tension the King actively supported the earl from early 1426. Atholl's local role was fostered by James to provide aristocratic leadership in an area previously dominated by the Albany Stewarts.

The period between 1425 and 1427 also showed a fundamental change in the behaviour of the main magnates in the localities. During the Albany governorship these men had been able to act independently or even in defiance of the central government. Atholl's behaviour in Strathearn provides a good example of this, as does the authority wielded by the 4th earl of Douglas in southern Scotland. That such actions were taken in defiance of the Governor's wishes can be linked to Bower's statement about Duke Robert that "if it happened that some outrages were committed by powerful men in the kingdom, he patiently hid his feelings for the time being".[205] The Albany Stewarts were forced to accept the local ambitions of their peers and simply sought to retain an appearance of authority over them. Even in 1424 and 1425 the situation was different. The King was heavily dependent on gaining the support of the earls for his attack on Albany and was therefore prepared to strike political deals with them to achieve this.

The treatment of Atholl, Mar and Douglas by the King showed a determination to interfere in the local structure of the realm. Despite his setback with Mar, in all three cases the King

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205 *Scotichronicon*, XV, Ch. 37, l. 4-6.

successfully displayed the authority of the crown to the local communities which these magnates dominated. James had shown himself prepared to intervene personally in areas of Scotland and the political characteristics he had displayed during the attack on Murdac must have acted as an incentive for his subjects to avoid conflict with him. According to Bower, "whenever he (James) heard that disorder had arisen, ... it was immediately quelled by a short letter sent under his signet, for his subjects were so fearful of offending him that no one was ever so high-spirited and masterful as to dare to flout or defy the King's written order or even his oral message".[206] This statement belongs, in part to the traditional eulogising about royal justice in James' reign, but it also shows the appreciation of the new rules of crown-magnate relations established after 1425. Part of this was probably the increased importance of the royal court as an effective forum for the resolution of disputes. The large and well-attended Christmas court which James held at St. Andrews in 1425 may have been the first display of such authority. It probably provided a location for royal action concerning the north-east and south-west of the kingdom, witnessed by "nearly all the princes and magnates of the realm".[207]

In this broad sense, the King had dealt successfully with the Albany Stewart legacy in government by 1427. Although he was never to be free from opposition over his policies or from friction with members of the nobility, James was able to wield a greater degree of authority than any of his immediate predecessors. His own landed position and the influence he could exert on the main magnates meant that by early 1428 he felt sufficiently secure to think in terms of extending his authority into the north and west.

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206 *Scotichronicon*, XVI, Ch. 33, l. 16-21.
207 *Scotichronicon*, XVI, Ch. 14, l. 11-24.

5 "THE KING'S REBELS IN THE NORTH LAND" - JAMES I AND THE MACDONALDS (1428-1431)[1]

i. The Inverness "Parliament"

The clash between the King and the Lord of the Isles dominated Scottish politics between 1428 and 1431. It was at the general council of July 1428 that James dramatically announced his decision to intervene in the troubled political situation of the north.[2] However, he had probably been considering the venture from at least the beginning of the year. James' resolve was the result of growing tension between the crown and the lordship of the Isles since 1425. Given the King's attitude to royal authority and the nature of the lordship, this tension was probably unavoidable.

The period of co-operation between James and Alexander, lord of the Isles, had been based on their mutual hostility towards the Albany Stewarts and largely ceased following Murdac's execution. From May 1425, therefore, the King had little long-term interest in continuing to favour the lordship. Moreover, as we have seen, during 1425 and 1426 the King was made increasingly aware of the dangers posed by the lordship of the Isles to government authority in the north and west of Scotland. This was partly a similar problem to the re-establishment of royal influence in the Douglas lands, but, due to the size and independence of the lordship it was of far greater magnitude. The MacDonalds had imposed a political unity on the Western Isles and much of the adjacent coast, and the landowners of north-eastern Scotland were, from 1424, pressing James to end his ties with the lordship and renew government support for the Earl of

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1 *A.P.S.*, ii, 20.
2 *Copiale*, 49.

Mar. Strengthening the earl was essential if a further eastward expansion of the MacDonalds was to be prevented. Already the lordship was in control of Lochaber, Ross and probably Urquhart, and after 1424 it was a major factor in Badenoch. In 1426 the King was made aware of the threat posed by this territorial expansion. As a result repairs were ordered for royal and baronial castles in threatened areas and Mar's local position received James' support.

However, the military nature of highland society and the tradition of cateran raiding probably gave an additional edge to royal worries about the lordship.[3] Since the 1390s the expansion of the lordship had been accompanied by widespread raiding and disorder in neighbouring areas. The Lord of the Isles had no interest in restraining this local violence, a duty which would have been expected of a lowland magnate. James must have been made aware of this in 1426 as, during that year, there was considerable violence in Caithness, Sutherland and Wester Ross, involving the main kin-groups of those areas.[4] This private warfare was linked by one local chronicler to the King's intervention in 1428 and, as we shall see, James took action against the main participants in the conflict.[5] If the King had accepted the lordship's control of Ross in the hope that the lord would regulate the politics of northern Scotland, he was clearly disappointed and, instead, Alexander of the Isles may well have backed the MacKays in the 1426 clash. The use of aggressive military methods to push disputed claims was standard practice in the

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3 For a general survey of royal fears concerning the expansion of the lordship, see A. Grant, "Scotland's 'Celtic Fringe' in the Late Middle Ages", in R.R. Davies, *The British Isles 1100-1500* (Edinburgh, 1988), 118-141.

4 R. Gordon, *Genealogical History of the Earldom of Sutherland* (Edinburgh, 1813), 64; A. MacKenzie, *History of the Mathesons* (Stirling, 1900), 7-12.

5 R. Gordon, *Genealogical History of the Earldom of Sutherland*, 64-7. According to Gordon, James arrested the Lord of the Isles "for maintaining of thieves and not bringing them to justice".

north, but the King was probably anxious to control such violence and to bring Alexander into a more submissive relationship with the crown.

James' disenchantment with MacDonald was probably mirrored by the latter's growing fears about royal intentions. The King no longer needed his support against Albany and Mar, and the associates of the Earl of Mar were clearly the main agents of the government in the north and an increasing influence on the royal council. The confirmation of Mar's position in the north-east and the King's visit to Aberdeen in 1426 must also have been worrying to Alexander. It was an indication of the growing link between James and the Mar Stewarts and their Forbes and Ogilvy allies. In the light of this concern, it is significant that, during the northern progress of 1426, George Munro of Foulis attended the King at St. Andrews on 22 July and was confirmed in his extensive estates in the earldom of Ross.[6] This may show the insecurity felt by one local landowner about the relations between the lordship and the crown, but Munro was conceivably a representative of Alexander and his mother, the Countess of Ross. He was later a close adherent of the MacDonalds in Ross and his presence at St. Andrews may have been an attempt to protect the family's interests while the King was with the main enemies of the lordship in Aberdeen.[7]

The King, however, was persuaded to increase Mar's local authority and resources by his journey beyond the Mounth. This may have prompted Alexander to tighten his links with James the fat, heir of the Albany Governors. James had been in Ireland since 1425, and the parliament of March 1426 had attempted to restrict contact between Scotland and the Erschery due to the presence of "notorious

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6 A. MacKenzie, *History of the Monros* (Inverness, 1898), 17.
7 Munro, *Lords of the Isles*, nos. 23, 26, 27, 28, 31.

rebels" in Ireland.[8] However, although he may have distrusted the MacDonalds, the King's legislation makes no mention of a link between James the fat and the lordship, possibly showing that the government was uncertain about the fugitive's precise whereabouts. Such royal doubts cannot have improved relations with Alexander and, given the subsequent alliance between the MacDonalds and James the fat, it is likely that contact was established before 1428. This is reinforced by the fact that James produced a son by a woman of the MacDonalds and he was probably residing at some point with Alexander's uncle, John mor MacDonald, who was lord of the Glens of Antrim in Ulster.[9] The MacDonald's decision to forge this alliance may well have been inspired by the continued support of the King for the Earl of Mar, and may have been designed to give the MacDonalds a degree of insurance in the event of a royal attack.

The use of a condemned rebel in this way strongly suggests that the MacDonalds were aware of the growing hostility of the crown and were taking protective measures. However, it was equally an assertion of their lack of dependence on the Scottish crown. By harbouring James the fat, the MacDonalds, or at least John mor, were committing treason by maintaining "manifest rebellours" against the King.[10] They were clearly confident that the King could not intervene effectively in the lordship. A similar confidence was exhibited by Alexander in the earldom of Ross. In 1424 King James had probably accepted that Mary Leslie was Countess of Ross and would continue to administer the earldom. Alexander of the Isles was therefore allowed to use the title of Master of Ross and the King apparently recognised that the area would eventually pass fully to the lordship. However, in December 1427 and February 1428, Alexander

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8 *A.P.S.*, ii, 11, c. 18.
9 *S.P.*, i, 151; Fraser, *Menteith*, i, 280.
10 *A.P.S.*, ii, 8, c. 15.

described himself as "Lord of the Isles and of the earldom of Ross". This indicated a greater degree of authority in Ross, perhaps extending to full control, whilst still acknowledging his mother's rights.[11] Alexander's father, Donald, had used the title of Lord of the earldom in 1421 and it may have been resumed by his son for that reason.[12] If Alexander had been acknowledged as master by the King, it seems likely that, in 1427, the Lord of the Isles was increasing his influence in Ross in breach of his previous agreement with James. The lordship had, after all, established its position in Ross in opposition to central government and Alexander may well have been intent on showing his independence of the King in the earldom.

Therefore, between 1425 and 1428, the Lord of the Isles was aware of the change in James' attitude to the political situation in the north and responded to the threat of hostility by sheltering the King's main opponent and by renouncing the agreement over Ross. These gestures of defiance would be likely to persuade the King of the need to take action to show his authority in the north and, early in 1428, he took the decision to intervene in person.

The timing of Alexander's assumption of the lordship of Ross suggests that it was a major reason for James' intervention. Between 1424 and 1428 the King made no effort to upset the status quo or challenge the legal rights of Countess Mary. However, from the winter of 1427-8 and for much of the next three years, James was preoccupied with the position of the lordship within his kingdom. Alexander's display of independence within Ross was almost certainly unacceptable to James, illustrating as it did the lack of authority he possessed in the earldom. During the spring of 1428, the King was clearly moving to confront the Lord of the Isles about the situation

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11 *C.S.S.R.*, ii, 177, 188, 189.
12 *ibid.*, i, 268, 271.

in Ross. It may have been discussed at the general council of March 1428, and preparations for a royal expedition to the area were already underway before the general council of July.[13] The King's concern with Ross is also suggested by the payment of an annuity to "Robert Stewart, son of the late Robert Stewart, duke of Albany" by order of the King. Although the sum involved was only £13 6s 8d, the fact that it was paid from April 1428 to 1431 could point to its significance.[14] According to the resignation of Ross made by Euphemia Leslie to John, earl of Buchan, in 1415, the earldom was to pass, on John's death, to his younger brother, Robert, and failing him revert to the crown.[15] The King's interest in Robert at this time may indicate that he was reviving the Albany Stewart claim to Ross and perhaps compensating the heir of the 1415 entail in return for his resignation of his rights to James. The purpose of this dubious arrangement may, initially, have been to put pressure on Alexander but it also provided a justification for any efforts to restrict the authority of the lordship within Ross.

A payment from the customs of Inverness rendered on 6 May which allowed £15 5s 4d "for expenses of the King to be incurred beyond the Mounth" is a strong indication that James had decided to go north before July.[16] That Inverness was making provision for the King's visit also suggests that the burgh was already the focal point of James' plans. Inverness castle certainly represented the last outpost of government authority in the north and was the only secure base for royal action in the area.[17] Given its proximity to Ross, it

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13 *A.P.S.*, ii, 15; *E.R.*, iv, 452.
14 *E.R.*, iv, 470, 500, 532.
15 S.R.O., RH, 6/243.
16 *E.R.*, iv, 452.
17 The castle had been heavily reinforced by Mar during the Albany governorship as well as the repairs ordered by James in 1427 (*E.R.*, iv, 145, 163, 173, 211, 227, 255; *Scotichronicon*, XVI, Ch. 15, l 24).

would be a natural meeting-place for the King and the Lord of the Isles. It is possible that, in May, the King was merely planning to negotiate with Alexander and display royal authority to the local landowners, as he had done with Douglas at Melrose and Mar at Aberdeen. Such a meeting could be termed a parliament, and this was almost certainly the basis on which Alexander and a large proportion of the chief men of Ross, Moray and Sutherland attended the meeting. If this was the King's initial plan, it would explain the surprise which greeted his announcement of the change in the purpose of his expedition in July.

At some point before the general council, therefore, James clearly realised the possibilities for more drastic action against the northerners which his control over the proposed meeting-site presented to him. The reasons for this decision must have been largely those already mentioned, but it is interesting that the seventeenth century *History of the MacDonalds* blamed James' hostility towards Alexander on "the courtiers about King James, and especially the offspring of Robert II who were defeated by ... Donald at Harlaw". This would seem to indicate the support of Atholl and Mar for James' policy.[18] Both were in a position to benefit from a reduction in the power of the lordship and were present at the July meeting of the estates. Also present at this meeting were John, bishop of Ross, and James Dunbar, earl of Moray.[19] Although it is conceivable that these two men were part of the vocal opposition to the royal plans at the council, it seems more likely that their presence indicates that James had been able to isolate the lordship politically. Both the bishop and Earl James' predecessor had links with the MacDonalds before 1424, but by 1428 John and James were

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18 *H.P.*, i, 35. Although Mar was, of course, Robert II's grandson.
19 Archives Nationales, J 678, no. 24.

involved in the planning for a surprise attack on the lordship.[20] The death of Thomas Dunbar in about 1427 was probably responsible for the change in the position of the Moray earls. He was succeeded by his cousin, James Dunbar of Frendraught, whose main lands before 1427 were in Aberdeenshire and the Mearns, and who was, therefore, much more a part of the lowland political community.[21] The prospect of royal intervention in the north probably also encouraged both men to distance themselves from the lordship.

Despite the probable backing of the Earls of Atholl, Mar and Moray, the King got an initially hostile reception for his plan to take violent action against Alexander. The debate which followed the announcement was reported by Prior Haldenstone of St. Andrews and probably took place following the conclusion of the French alliance on 19 July.[22] The nature of the opposition to James' plans will be considered more fully later and was to be a consistent feature of the King's highland campaigns. In this case, however, Haldenstone stated that, after "much debate", the King was able to get his plan to go north accepted by the estates. He apparently achieved this by brow-beating the opposition into submission, saying, according to Haldenstone, "I shall go and I will see whether they have fulfilled the required service; I shall go I say and I will not return while they default. I will chain them so that they are not able to stand and lie beneath my feet."[23] The service mentioned by the King may refer to demands made to Alexander about the recognition of royal authority in the lands under his control and James' language makes it clear that he intended to take forcible action against the

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20 Munro, *Lords of the Isles*, no. 20.
21 *A.B.Ill*, iii, 587.
22 *Copiale*, 48-49; Archives Nationales, J 678, nos. 21-24.
23 *Copiale*, 49, l. 19-25.

"defaulters" prior to his journey north, and that the arrests which occurred were probably part of a pre-conceived plan.

For such a plan it seems likely that the King would be accompanied by some kind of military presence on his expedition to Inverness. It seems unlikely that anything approaching a full host was summoned to meet the King. James was probably relying on individual magnate retinues and burgh contingents to provide a small but more flexible military backing to protect him in the event of trouble. That the burghs were involved is shown by the fines levied on North Berwick, Haddington, Montrose and Aberdeen for their "non-appearance" at Inverness.[24] This suggests that the King expected support from a number of east coast burghs. However such aid was not necessarily military, as a repeat of the fine on Aberdeen records that the burgesses were punished "because they had not carried provisions to Inverness".[25] This may have been the crime of all the burghs which received fines, but as provisions were only mentioned specifically in connection with Aberdeen, this town may have been a special case. It would be strange if the burgh at which the expedition was to rendezvous and which had an interest in the defence of the north-east contributed nothing to the King's escort. It is more likely that the King approached Aberdeen about the supply of provisions above the request for men and that he requested, but failed to receive, similar contingents from the other burghs which received fines. In any case, that the King required provisions from Aberdeen suggests that he was intending to lead a force too large to live off local resources.

Magnate attendance on the King during his 1428 trip to Inverness is even more difficult to establish. The nature of James' business

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24 *E.R.*, iv, 488-90, 550, 586.
25 *E.R.*, iv, 586.

whilst he was at Aberdeen on the way north suggests that Walter and Patrick Ogilvy, the King's treasurer and justiciar north of Forth respectively, were present.[26] It seems reasonable to assume that Mar and other members of his extensive Aberdeenshire connection also provided the King with a significant part of his escort. However, the men named by the seventeenth century *History of the MacDonalds* as James' agents in discussions with the Lord of the Isles were "Sir William Crighton, William Hay and Stewart of Atholl".[27] Even though the account of the MacDonald history is markedly different to the contemporary versions of events at Inverness, the names given should not be dismissed. As the men were employed as royal negotiators in this source it is not surprising that none of them were prominent supporters of Mar. Crichton was already a trusted royal servant in 1428 and was employed increasingly by James during the reign.[28] Nor is it implausible that Hay of Errol, a north-eastern landowner and the constable, should accompany the King on a quasi-military expedition. Stewart of Atholl probably refers to Earl Walter, who was at the general council and who may have had a role in persuading the King to action. A final member of the expedition was the Queen, who had left her daughters in the custody of Michael Ramsay.[29] The presence of Joan Beaufort may indicate a rest from the business of producing a male heir, but it also has a political significance. It shows the reliance of James on his Queen which had been expressed at

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26 *R.M.S.*, ii, nos. 109, 110, 112, 113, 114. Both Patrick and Walter were on the King's council during the July general council (*R.M.S.*, ii, no. 108). James I also confirmed a grant from William, earl of Angus to William Giffard and another to Patrick Ogilvy whilst at Aberdeen, perhaps indicating the presence of Angus and Giffard on the expedition (*R.M.S.*, ii, no. 111).

27 *H.P.*, i, 35.

28 Crichton had been one of the ambassadors sent to Eric of Denmark to negotiate about the annual sum to be paid for the Isles in July 1426. He was on the King's expedition against the lordship in 1429 (*Scotichronicon*, XVI, Ch. 33, l. 4-7; *R.M.S.*, ii, no. 127).

29 *E.R.*, iv, 473.

the general council where he insisted that all landowners should swear an oath of allegiance to her.[30] Joan's presence also emphasises that the 1428 expedition was in the form of a royal progress rather than a military assault.

The royal party presumably left Perth soon after the general council and James was at Aberdeen by 2 August.[31] It was probably in this burgh that the King assembled the escort he had summoned. The precise date of his departure from Aberdeen and his arrival at Inverness are not clear, but he was clearly in Inverness by 24 August.[32] It seems likely that a meeting had been arranged between James and Alexander of the Isles for a specific date. It is clear that a large proportion of the major lords of Ross, Moray and Sutherland presented themselves at Inverness to meet the King. This would have been partly due to the special nature of the occasion and partly because Alexander probably assembled a body of vassals and allies to show his local strength.

On, or immediately before, 24 August the so-called "parliament" took place. The version of events given by Bower states that James "craftily invited each of them (the northern chiefs) to come individually to the tower where the council was meeting and had each put separately into close confinement".[33] This sequence of events would require a trusting approach from the victims not normally associated with highland magnates even if they were not aware of the King's earlier surprise arrests.[34] It is interesting to contrast

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30 *A.P.S.*, ii, 17.
31 *R.M.S.*, ii, nos. 109-114.
32 *R.M.S.*, ii, no. 115; *Calendar of Writs of Munro of Foulis 1299-1823*, ed. C.T.Innes, Scottish Record Society (Edinburgh, 1940), no. 17.
33 *Scotichronicon*, XVI, Ch. 15, l. 28-30.
34 It should be noted, however, that Bower's detailed knowledge of events at Inverness and the names of those arrested probably derives from the presence of his patron, David Stewart of Rosyth (*Scotichronicon*, XVI, Ch. 39, l. 20; *R.M.S.*, ii, no. 115).

this account with the much later version of the MacDonald history.[35] According to this source, the Lord of the Isles had refused to meet the King in the south and therefore James came to Inverness. After negotiations between Alexander and a party from the King's force, James' men launched a surprise attack which captured the lord and his followers. Although the suggestion of a state of war runs totally against Bower's account and other indications of the events of 1428, the MacDonald source does include the basic fact that royal success was achieved by a surprise attack following discussions. It seems likely that the King, having arranged a meeting with Alexander and his chief northern supporters, took the opportunity of the council to arrest some, or all of those local landowners present. Bower, although only naming eleven, says that fifty men were seized at the "parliament", which would seem to be a general round-up of all those who attended the meeting, which was probably held within the castle of Inverness.

Despite the removal of the leading "men of the north" by these means, there must have been a degree of anxiety that the King's actions would provoke an immediate backlash. While the major landowners had been present at the council, it seems likely that there were large numbers of lesser men, supporters and kinsmen of the King's prisoners, who had escorted their lords to the "parliament". These men were probably in or near Inverness, and there was a danger of them taking violent action to release the prisoners. Two remissions granted to groups of men at Inverness show the King's concern to prevent any such counter-attack.

The first, from 24 August, probably in the immediate aftermath of the "parliament", remits a group of 28 Munros for thefts, murders

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35 *H.P.*, i, 35.

and other crimes committed by them before that date.[36] It is hard not to connect this royal pardon with an attempt to disperse groups of supporters after the arrests. It may also indicate that the King's forces had arrested the men named on the document, and while the remission released them from punishment for past acts it did not include any new crimes, possibly to encourage the Munros to leave the area.

The situation is made even more clear in the other remission from Inverness. The King granted this second document to a group of 26 men, who have been identified as members of Clan Chattan, four days later on 27 August.[37] In the document the King is more specific about the offences of the highlanders. He has "arrested them for their withdrawal from the town of Inverness and their making of an assembly (*congregatio*) against our act of parliament". Whether this act was issued at Inverness, which Bower terms a parliament, or whether it referred to a more general piece of legislation which the King passed in the general council of March 1428, is not clear. The act of March stated that, "the King and his council declare that no man come to court with a multitude of folk or with arms, but soberly as his estate requires and with councillors".[38] This could certainly have been applied to the situation at Inverness where large, armed followings would have accompanied the local nobility as a matter of course. This second remission also makes it clear that, at least three days after the first arrests, the King's forces were still involved in dispersing those men who, as the remission states, had left Inverness and had assembled in large bands outside the burgh. How serious a military threat these men represented is not clear but

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36 *Munro Writs*, no 17.
37 *Family of Rose*, 126.
38 *A.P.S.*, ii, 16, c. 10.

it is possible that fighting took place in the days after the "parliament".[39]

As would be expected, the King's main target at Inverness was the Lord of the Isles and his immediate kinsmen. Alexander was seized at the "parliament" along with his mother, the Countess of Ross, and his uncle and closest male relative, John mor of Dunivaig and the Glens of Antrim.[40] The three main members of the MacDonald family were therefore in royal hands and James clearly hoped to use his control over them to change the political situation in northern and western Scotland to his advantage. By the arrests of the MacDonalds, James had already given a display of renewed royal authority in the area.

The other arrests of highlanders at Inverness should be seen in the same light, as a display of James' ability to punish local opposition. The men named by Bower as the King's principal prisoners suggest that he was seeking to neutralise the main sources of trouble in the area and the men who were most likely to resist renewed government influence in Inverness and Easter Ross.

The seizure of Angus dubh Mackay of Strathnaver and his sons certainly fits into this pattern. MacKay was Alexander's uncle, and there was probably a close link between the two men in northern Scotland where, according to the *History of the MacDonalds*, Alexander "possessed and governed" Strathnaver.[41] MacKay certainly held lands from the earldom of Ross, and his family's holdings around the Kyle of Sutherland dominated the northern border of the earldom.[42] In

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39 That the King was dealing with the organisation of Inverness burgh market on 28 August may indicate that the immediate crisis was over (*R.M.S.*, ii, no. 804).
40 *Scotichronicon*, XVI, Ch. 15, l. 25-27; 45-46. That in the winter of 1428-1429, John mor had been "released by the King not long before" indicates that he was almost certainly arrested at Inverness.
41 *H.P.*, i, 35.
42 Munro, *Lords of the Isles*, no. 19; *R.M.S.*, ii, nos. 147-149.

addition, Angus MacKay's son and heir, Neill, was married to the daughter of Munro of Foulis, a significant landowner in Easter Ross.[43] This marriage may indicate that MacKay was establishing his influence in Ross following the MacDonald takeover of the earldom. George Munro was among the group of Munros dispersed after the arrests and therefore escaped long-term imprisonment, perhaps due to his earlier links with the King. MacKays' arrest may also have been connected to his potential for trouble. He was a leader of 4000 men, according to Bower, and had been principally responsible for the violence in the north in 1426.[44] This combination and his connections in the earldom of Ross clearly made him a source of concern for James, and the fact that Neill, his son and Munro's son-in-law, was detained by the King as a hostage for the remainder of the reign shows the depth of royal anxiety.[45]

The arrests of Kenneth mor, generally identified as the chief of the MacKenzies of Kintail, and of Matheson of Lochalsh, would seem to indicate that James was also deliberately removing the leaders of the main kin-groups of Wester Ross. Neither family was closely associated with the MacDonalds or the MacKays, but as Bower records that both men were leaders of 2000 men, the King may have been seeking to neutralise two major lords on the fringes of the earldom of Ross.[46] This attitude may be connected to the possible involvement of these families in the disturbances of 1426 in northern Scotland.[47]

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43 A. MacKay, *The Book of MacKay* (Edinburgh, 1906), 66.
44 *Scotichronicon*, XVI, Ch. 15, l. 35; R. Gordon, *Genealogical History of the Earldom of Sutherland*, 64.
45 *MacKay Book*, 57.
46 *Scotichronicon*, XVI, Ch. 15, l. 36-9. MacKenzie was married to a sister of Donald of the Isles but the family opposed MacDonald expansion into Ross (Munro, *Lords of the Isles*, 299; *Genealogical Collections Concerning Families in Scotland made by Walter MacFarlane*, Scottish History Society (Edinburgh, 1900), i, 60).
47 A. MacKenzie, *History of the Mathesons*, 7-12.

The three other men named by Bower as prisoners of the King all came from Ross or the adjacent lands. Although the identities of John Ross and William Leslie are not certain it is relatively clear that both they, and Angus Moray, operated in or near Easter Ross and were major local figures. John Ross can either be identified with the family of Ross of Balnagown or of Rose of Kilravock. The Lord of Balnagown in 1428 was Hugh Ross but he was succeeded by his son, John in 1440.[48] The man arrested in 1428 could conceivably be the heir to Balnagown present at Inverness in his father's absence. The close ties of the family to the earldom of Ross and their support of the MacDonalds both before and after 1428 make it possible that they were targets for royal hostility.[49] However, the head of the Rose family in 1428 was a John Ross or Rose and this would give weight to the idea that it was this man whom James detained.[50] Although the family's main lands were in Nairnshire they were also vassals of the Earls of Ross and had clearly recognised MacDonald control of the area in 1420.[51] While either identification is possible, the long-standing and active involvement of the Balnagown family in MacDonald expansion makes it more likely that the heir to the family's lands was the King's hostage from 1428.

The arrest of William Leslie also presents problems of identification. It would be reasonable to assume that the 1428 prisoner was the same man who was created sheriff of Inverness in the late 1430s and witnessed three of the Lord of the Isles' charters

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48 Munro, *Lords of the Isles*, 274.
49 The family were descended from the brother and designated heir of the last native earl of Ross. They possessed considerable lands in Easter Ross. Walter Ross had supported Donald at Harlaw in 1411 and Hugh and John witnessed lordship charters in Ross after 1437 (S.R.O., GD, 297/163, 195; Munro, *Lords of the Isles*, nos. 23, 27, 28, 31, 50, 54).
50 *Family of Rose*, 42.
51 Munro, *Lord of the Isles*, no. 20.

between 1438 and 1440.[52] This could explain his arrest at Inverness as a result of his long-term connection with the lordship. However, the situation may be more complex than this. The William Leslie named by Bower was the leader of 2000 men and therefore clearly of local importance.[53] It is possible that he was William Leslie of Balquhain in Aberdeenshire. Leslie of Balquhain was a major vassal of the Earl of Mar in Garioch and his father may have supported the earl at Harlaw.[54] However, the King may have had reasons to think that his detention was advisable. His family's reputation was for violent disorder but more importantly he was a cousin of Mary Leslie, Countess of Ross, and may have objected to her arrest. In late 1428 Mar issued Leslie with a fresh grant of his lands following William's resignation which could indicate that there had been problems in their relationship after the events of the summer.[55] However, it is more likely that the man arrested at Inverness was a local landowner. Leslie of Balquhain was sheriff of Garioch for Mar in 1435 and was active in Aberdeenshire after 1437, while the William Leslie who was sheriff of Inverness was probably the husband of a Katherine Ross and from the Ross diocese.[56]

The third of these east-coast men arrested at Inverness was Angus Moray of Culbin, a landowner in Moray and Nairnshire. However, it is probable that the main area of the family's interests lay in Sutherland, where both he and his father had been active, apparently as retainers of the Earls of Sutherland.[57] As a result, he was probably involved in the conflict in the earldom and may have had his opportunities for independent local action increased by the departure

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52 *ibid.*, nos. 27, 28, 35.
53 *Scotichronicon*, XVI, Ch. 15, l. 37.
54 MacFarlane, *Gen. Coll.*, ii, 2.
55 *H.M.C.*, Mar and Kellie , ii, 16; *A.B.Coll.*, 541.
56 *A.B.Ill.*, iii, 582; *C.S.S.R.*, iv, nos. 232, 714.
57 R. Gordon, *Genealogical History of the Earldom of Sutherland*, 65; *MacKay Book*, 54, 58.

of the Earl of Sutherland as a hostage for the ransom in 1427. It may have been at this point that Moray engineered an alliance with a junior branch of the MacKay family by marrying his daughters to two of MacKay of Strathnaver's cousins, Neill and Morgan Neillson MacKay.[58] This link may have contributed to the King's arrest of Moray, but by the following year the latter was clearly participating in James' attack on the lordship and its allies.

The chief link between these men was provided by their geographical origins. All six prisoners named by Bower held lands in Ross or Sutherland. This may be due in part to the predominance of men from these areas at Inverness, but it also suggests that the King had specific interests in this part of the highlands. That two men of lesser status from further south were also arrested by the King shows that attendance at the "parliament" was on a wider scale.[59] The two men concerned were Alexander MacRuarie of Garmoran and John MacArthur, a member of a junior Campbell family. Both men were from outside the immediate vicinity of Inverness and were only leaders of 1000 men, according to Bower, half the number given to the northern prisoners. Moreover, unlike the other men seized by James, MacRuarie and MacArthur were "condemned to death", possibly at Inverness, and beheaded. This suggests that the two men belonged to the category of "outlawed caterans of gentle status ... who were, by their standards great men".[60] This view may be supported by the statement that MacArthur was "a great prince among his followers". It is possible that MacArthur and MacRuarie were the most prominent in this group of caterans and were executed by the King as examples of royal authority to the other prisoners and the highlands as a whole. James's ability

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58 *MacKay Book*, 58.
59 *Scotichronicon*, XVI, Ch. 15, l. 40-43.
60 *ibid.*, l. 38-40.

to carry out these executions at Inverness was an effective demonstration of this authority.

None of the other men detained by the King was executed, and this suggests that James' motive in arresting them was different to the cases of MacRuarie and MacArthur. The seizure of the MacDonalds, MacKay, Leslie and Ross seem to point to a specific attack on the lordship and its position and supporters in the earldom of Ross. The removal of Angus Moray, MacKenzie and Matheson was probably designed to allow the King to satisfy himself about these men and their position in relation to Ross. The King's attention remained focussed on Ross during 1428, and this confirms that it was Alexander's assumption of authority in the earldom which provided the immediate cause of royal action. The events of the Inverness "parliament" had certainly provided the north with an example of the aggression and ruthlessness of James' government and of the inadvisability of casually defying him.

There can be no doubt that the Inverness "parliament" was a major success for James. With virtually no fighting he had gained control of the Lord of the Isles and his major northern alies, something it had taken Robert, duke of Albany, two years and considerable expenditure to achieve. The sense of jubilation about the King's victory in the letter of Prior Haldenstone probably typified the reaction of the lowland political community, although, as it was written to James himself, it clearly exaggerates his actual achievement. According to the prior, due to James' intervention in the north, "all of these lands are placed in a peaceful state".[61] This tradition was clearly followed by the author of the *Book of Pluscarden*, who believed that, because of the arrests at Inverness

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61 *Copiale*, 49, l. 7-17.

"the country was pacified and remained quiet for a long time".[62] However, as the events of the following year were to show, the apparent success achieved at Inverness depended on James' ability to exploit his victory without stirring up a major reaction from within the lordship.

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62 *Liber Pluscardensis*, XI, Ch. iv.

ii. The War Against the Lordship

James left Inverness after 28 August and had returned to Edinburgh by 20 September 1428.[63] On the way south he probably arranged for the treatment of his prisoners who, according to Bower, "were dispersed separately to the castles of various lords".[64] The history of the MacKintoshes records that Alexander of the Isles was taken to Perth, but this may simply reflect that the King passed through the burgh on his journey.[65] The possession of the leading members of a number of northern families gave James a chance to establish his authority in the region. His decision to arrest these men may have been based on the appreciation that only such a drastic demonstration of strength would cause the northerners to recognise a reduction of their local independence. Therefore, although Bower reports that some of the prisoners were condemned to death "while others were set free", the men named in the *Scotichronicon* were all in the latter category.[66] William Leslie and John mor were released by the end of the year and MacKay of Strathnaver and Angus Moray were both active in the events of 1429-31.[67] It seems likely, therefore, that the King appreciated that the arrests were only temporary and that they were only useful in giving him a hold over his prisoners. James was prepared to let his principal prisoners go, probably after some form of acknowledgement by them of royal authority. At least one hostage, Neill MacKay, was retained by the King, presumably as a guarantee of good behaviour.

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63 *R.M.S.*, ii, nos. 117, 804.
64 *Scotichronicon*, XVI, Ch. 15, l. 46-48.
65 MacFarlane, *Gen. Coll.*, i, 187.
66 *Scotichronicon*, XVI, Ch. 15, l. 47-48.
67 *H.M.C.*, Mar and Kellie, ii, 16; *H.P.*, i, 38-39; *Scotichronicon*, XVI, Ch. 17, l. 12.

However, while the King was satisfied with the submissions of the other prisoners, the position of the MacDonalds in royal custody was more complex. John mor had been set at liberty, and subsequent events suggest that he had reached some form of arrangement with the King, whose continued detention of Alexander and Countess Mary may also have acted as a restraint on John. It seems likely that James was determined to exploit fully his success at Inverness and gain a formal recognition of his authority within the lands of the lordship which could not be denied at a later date. According to the seventeenth century *History of the MacDonalds*, James required Alexander of the Isles to do homage for all his lands.[68] The response of the lord was to offer to acknowledge royal superiority for the "rights his grandfather got from the King, when he married his daughter ... with what he had on the continent (mainland), which was holden of the crown of Scotland". The marriage referred to was that of John, lord of the Isles, to Margaret Stewart, daughter of Robert II and aunt of King James, which took place in about 1350.[69] On 6 June 1376, Robert II granted charters for the lands of Lochaber, Colonsay and Knapdale and Kintyre to John and Margaret jointly.[70] It seems likely that these estates, and especially the former Stewart lands of Knapdale and Kintyre, were those for which Alexander offered homage. Robert II had also confirmed John in Moidart, Arisaig, Morar and Knoydart, the lands of the lordship on the coast between Ardnamurchan and Wester Ross and in the islands of Uist, Barra, Rum and Eigg.[71] This presumably indicates that John had done homage to his father-in-law for these lands as well.

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68 *H.P.*, i, 37-38.
69 Munro, *Lords of the Isles*, 242, no. B 25.
70 *R.M.S.*, i, nos. 567, 568, 569.
71 *R.M.S.*, i, nos. 412, 551. These were the former MacRuarie lands.

In 1429, however, Alexander seems to have been only prepared to submit to the King in the first group of "continental" lands named by his grandfather. He claimed that the Isles were held of the King of Denmark. In this category were not only the islands in Robert II's grant but also Islay, Jura and parts of Mull. Such an argument ignored the Treaty of Perth of 1266 by which the Western Isles had passed to the Scottish crown in return for an annual payment of 100 marks.[72] On James' return "an incalcuable sum" was owed by the Scots, and it is possible that the MacDonalds claimed that the Kings of Scotland had defaulted on the treaty.[73] However, negotiations with Eric of Denmark in the summer of 1426, at exactly the same time as James' visit to Aberdeen, had resulted in a settlement over the payment for the Isles.[74] This could suggest that the claim of Danish sovereignty had been used by the lordship during the Albany governorship as a means of denying central authority and that the King was settling the question with the Danes when his relations with the lordship were worsening.[75]

For Alexander to deny the King full homage was unacceptable, despite the offer of full military service for the "continental" lands of the lordship. It is reasonable to assume that James wanted a clear statement of the feudal dependence of the lordship on the crown for all of its lands. The Isles were the political and military centre of MacDonald influence and for the King to admit that

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72 B. Crawford, "Scotland's Foreign Relations: Scandinavia", in J.M. Brown, *Scottish Society in the Fifteenth Century* (London, 1977), 85-100.
73 *Scotichronicon*, XVI, Ch. 33, l. 1-10.
74 B. Crawford, "Scotland's Foreigh Relations: Scandinavia", in J.M. Brown, *Scottish Society in the Fifteenth Century*, 85-100, 86-87; *E.R.*, iv, 411, 413.
75 Both the Danes and the lordship enjoyed good relations with England during the opening decade of the fifteenth century. That in 1429-30, during James' attack on the lordship, a Norwegian noble was at his court suggests his continued links with the Scandinavian monarchy (*E.R.*, iv, 507).

they were outside his authority would be a dangerous precedent. Therefore, if Alexander refused to do homage for his entire lands, this would explain why he was kept in royal custody. The continued detention of the Countess of Ross may suggest that the earldom of Ross was still a sensitive issue. The possibility that the King possessed a claim to Ross via the 1415 entail could, in the aftermath of his successful coup, have led him to try to alter the political situation in the earldom. Given James' aggressive and acquisitive nature, he may have hoped to use the absence of Mary and Alexander to push this claim to Ross. Certainly by March 1430 royal forces had occupied Dingwall castle, the centre of the earldom, and this may have been a royal aim from 1428.[76] James could conceivably have sought a formal resignation of the earldom in late 1428 but, if he did so, it seems unlikely that he was successful.

The problems experienced by the King in gaining the full homage of the Lord of the Isles and possible royal ambitions towards Ross probably meant that Alexander and his mother remained in custody during the winter of 1428-9. The obstruction of Alexander to James' demands may have led the latter to renew contact with John mor of Dunivaig. Both Bower and the *History of the MacDonalds* record the outcome of this contact. Bower places it clearly in the aftermath of the Inverness parliament and, while the MacDonald source combines the two royal seizures of Alexander, it follows the arrest of the lord with the King's approaches to John. Bower simply states that "James Campbell was hanged after being charged and convicted of the killing of John of the Isles who had been released by the King a short time before".[77] The *History of the MacDonalds* confirms these facts but also gives greater information on events preceding the murder.

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76 *E.R.*, iv, 510.
77 *Scotichronicon*, XVI, Ch. 15, l. 43-45.

According to this source, "the King sent John (James) Campbell to know if John mor of Kintyre, MacDonald's uncle, would send to take all his nephew's lands".[78] Although this move is dismissed as a trap to weaken the lordship, it is possible that the King was actually thinking in these terms. John's release from royal custody and his apparent readiness to meet an envoy of the King so soon afterwards suggest that both men were aware of possible grounds for negotiation.

King James may have regarded John mor's political career as evidence that he could be used as a rival to Alexander in the lordship. He had considerable lands in Islay and Kintyre as well as Antrim and had been *tanist* or designated heir to his brother in the 1390s before Alexander's birth.[79] In the winter of 1428-9 he may have again been in the position of heir.[80] His ambitions are suggested by his rebellion against Donald of the Isles in about 1394, in which he enjoyed the support of at least two major families from the lordship, the MacLeans and the MacLeods of Harris.[81] In this revolt John claimed the lands of the lordship from Ardnamurchan southwards, and the King may have believed that the offer of the entire lordship would tempt John into abandoning his nephew. In the role of usurper John would have been more amenable to the question of homage and to surrendering his guest, James Stewart of Albany.

The King's offer was to be made by James Campbell, an unidentified member of the family, but a man invested with the authority to lead a large retinue to his meeting with John mor. It seems likely that he was a connection of Duncan Campbell in Argyll-shire. The King's choice of this agent suggests he was working with the Campbells and that his relations with the family were improving.

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78 *H.P.*, i, 38-39.
79 A. Cameron, *Reliquiae Celticae*, ii, 159; *H.P.*, i, 32.
80 Alexander had two bastard half-brothers but both were priests (*Reliquiae Celticae*, ii, 211).
81 *H.P.*, i, 32-33; Munro, *Lords of the Isles*, no. 15.

As has been mentioned, in 1424 the Campbells were linked to the Lennox faction in some form and from 1427 until 1431 the Lord of Lochawe was in dispute with John Scrymgeour of Dundee over the lands of Glassary in Argyll.[82] The King clearly favoured Scrymgeour and this adds to the general impression that, until 1431, the relations of the crown with Duncan of Lochawe were strained.[83] For this reason James Campbell may have appeared to John mor as an acceptable middle-man, especially as there was no history of MacDonald-Campbell friction at this point. The interests of the lordship lay to the north and south of Campbell territory, while, as the Scrymgeour feud shows, the concern of the Campbells was in the establishment of their dominance within Argyll.[84] In considering the position of James Campbell in 1428 as evidence of the crown's relations with the family as a whole, it is interesting that, despite his service for the King, Campbell was clearly expendable after John mor's death.

The meeting between John of the Isles and James Campbell probably took place in the winter of 1428-9 while Alexander was in custody. According to the *History of the MacDonalds* it was held "at a point called Ard-du", possibly Arduaine on the coast of Argyll, accessible to both men. The meeting was, however, a failure. John "would not accept of those lands, nor serve for them, till his nephew was set at liberty".[85] This refusal, possibly reversing an earlier promise, may have been based on the opposition which such a usurpation would arouse in the lordship. Following John's rejection of the offer, Campbell attempted to arrest him and in the resulting struggle MacDonald was killed. The family history claims the arrest

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82 *H.P.*, ii, 152-74.
83 The execution of John MacArthur, head of a junior Campbell family, at the Inverness 'parliament' suggests the King's attitude was lukewarm to say the least (*Scotichronicon*, XVI, Ch. 15, l. 41-2).
84 S. Boardman, 'Politics and the Feud in Late Mediaeval Scotland' (unpublished Ph.D. thesis, University of St. Andrews, 1989), 22-23.
85 *H.P.*, i, 38-39.

as being pre-arranged in the event of John's refusal as Campbell later justified his actions as being the result of royal orders. It is wholly believable that the King would seek to arrest John mor if he did not prove amenable to the royal offer, to prevent a potential leader of the lordship co-ordinating opposition to the crown. However, John's death probably proved to be dangerous for the King, raising a "great noise through the kingdom". The opposition was certainly sufficient to cause the King to distance himself from the event by ordering the pursuit and, after his capture, the execution of James Campbell, which Bower reports as evidence of royal justice in the north.[86]

The death of John mor probably convinced the King of the need to reach a quick understanding with Alexander of the Isles. The "great noise" may indicate a growing hostility from within the lordship towards royal interference. Throughout the winter of 1428-9 James seems to have appreciated the need to work with a leader in the lordship, and simply aimed at establishing clear links of authority with the lord. With John's death the King had to work with Alexander. It may have been after the murder of John mor that James offered to admit the lord into his household. In the accounts of both Bower and *Pluscarden* the King ascribed Alexander's hostility to him as the result of receiving bad counsel. Although this is, in part, a standard excuse for a young, inexperienced ruler, it possibly indicates that the continuation of the independent stand taken by Donald of the Isles was a popular course within the lordship. James apparently encouraged Alexander "to conduct himself ... towards the King and his lieges in such a way that he might deserve to win greater favour from the King and be included in his immediate

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86 *Scotichronicon*, XVI, Ch. 15, l. 43-46.

retinue".[87] This was an attempt to 'educate' the lord to act as a responsible magnate with local influence in the west and it may have been accompanied by a compromise on the issues of homage and the possession of Ross. According to Bower the lord was released on a promise of good behaviour, but the *Liber Pluscardensis* states that he absconded.[88] Bower's version was written closer to events, is less favourable to the King and fits with the idea that Alexander was, in part, pushed into hostility by forces within the lordship. If he was released, this suggests that Alexander had done homage and that James was satisfied with his promise of good behaviour.[89] The King may have expected Alexander to quiet local unrest resulting from the events of 1428 and John's death, but the lord was clearly unable or unwilling to do so.

In the north, the arrests at Inverness presumably gave Mar the opportunity to extend his influence over the province of Moray. The earl was probably the lieutenant of the King referred to in legislation of April 1429, having possibly held the position from 1427, and acted as James' deputy in the north.[90] The events at Inverness may have allowed Mar to increase his authority over Malcolm MacKintosh, head of the main family in Badenoch, and other north-eastern kin-groups from the Clan Chattan. As part of this confederacy were amongst those dispersed from Inverness, the group was not trusted as a whole by the King.[91] However, in the MacKintosh family history, the King grants Malcolm MacKintosh the keepership of

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87 *ibid.*, XVI, Ch. 16, l. 5-7.
88 *Liber Pluscardensis*, XI, Ch. iv.
89 As there is no evidence of the release of Mary Leslie, it is possible that she was retained in royal custody from 1428 to 1433 and served as a hostage for her son's good behaviour (*Scotichronicon*, XVI, Ch. 20, l. 3-5).
90 *A.P.S.*, ii, 17, c. 1.
91 *Family of Rose*, 126.

Inverness castle after the parliament.[92] This seems unlikely, as from at least 1412 the castle had been under the control of Mar, possibly with his son, Thomas, as keeper.[93] MacKintosh does not appear in connection with the castle either before or after 1429, but his family was connected to both Mar and his father, the Wolf of Badenoch.[94] In this period it seems probable that the MacKintoshes gravitated between the Earl of Mar and the lordship depending on the balance of power in Badenoch.[95] As a result, in 1428-9, Malcolm MacKintosh transferred his allegiance to the King and his lieutenant and remained committed to this course during the royal attack on the Lord of the Isles. The story of Malcolm's defence of Inverness castle in 1429 may refer to his presence in a reinforced garrison and, if true, would show that at least part of Clan Chattan had deserted the Lord of the Isles before the events of the summer.

The King probably released Alexander in early 1429 and allowed him to return to the political centre of his lordship in the Hebrides. According to the lowland sources of Bower and *Pluscarden*, Alexander followed the advice of "minions" and "wicked counsellors" and reverting to his old ways, launched an attack on Inverness.[96] However, serious considerations probably prompted the Lord of the Isles to reject his agreement with James. The arrests and executions at Inverness, followed by the murder of John mor, may have already provoked trouble, and the King expected Alexander to respond with loyal service to the crown. On his return to the west, the Lord of

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92 Macfarlane, *Gen. Coll.*, i, 186-7; C.F. MacKintosh, *Invernessiana* (Inverness, 1875), 105.
93 *E.R.*, iv, 145, 173; Fraser, *Cawdor*, 5-6.
94 Fraser, *Grant*, iii, 15, no. 22.
95 MacKintosh was at Harlaw for the lordship, at Inverlochy for the King and by the 1440s was again in favour with Alexander of the Isles as bailie of Lochaber (MacFarlane, *Gen. Coll.*, i, 184-87; *H.P.*, i, 49; Munro, *Lords of the Isles*, nos. 42-47).
96 *Scotichronicon*, XVI, Ch. 16, l. 13-15; *Liber Pluscardensis*, XI, Ch. iv.

the Isles may instead have had to face the demands of his kinsmen and supporters for a counter-attack against the King. These demands were possibly led by Donald balloch, son of John mor, who, although only sixteen, was clearly an opponent of the King, and Alastair carrach, another cousin of the lord, whose lands in Lochaber and in the Great Glen were most at risk from royal aggression.[97] Thus, the two main leaders of Clan Donald may well have been the men described by Bower as "minions". As the career of Alexander's son John was to show, the lord had to placate such 'hawks' or face a loss of authority. It was in the light of this pressure that Alexander probably took the decision to attack Inverness, the place of his humiliation and the main royal fortress in the north.

The timing of the attack is not clear but royal legislation that "fugitives from the King or his lieutenant are to be punished as public and notorious rebels" which was enacted in April 1429, was probably linked to the politics of the north.[98] It was possibly the result of escapes from custody of highland prisoners, but could refer to royal awareness of disorder and the fact that the Lord of the Isles was not prepared to quell it. As a result of the breach of his promises to the King, Alexander could have been considered a fugitive, but if the act was aimed at the lord it must be from before the attack on Inverness, as this provided much clearer grounds for treason.

In Bower's words, the Lord of the Isles "contemptuously burned the royal town of Inverness".[99] This fits with the MacKintosh account that Alexander "having ransacked the houses set them on fire.

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97 *H.P.*, i, 40. Alastair held lands in Lochaber and had probably inherited his father's position in the Great Glen. He was also probably bailie of Lochaber for his cousin (Munro, *Lord of the Isles*, no. 14; *H.P.*, i, 40).
98 *A.P.S.*, ii, 17, c. 1.
99 *Scotichronicon*, XVI, Ch. 16, l. 13-15.

He surrounded the castle by way of siege, but in vain, for it was manfully defended by this Malcolm (MacKintosh)".[100] The presence of MacKintosh in the castle may indicate that special reinforcements had been sent to Inverness. Similarly the payments made in 1428 and 1429 to Andrew Baxter "sailor of our lord the King" for bringing lime in a ship of the King to Inverness and depositing it at the hall of the castle, suggests the continued strengthening of the defences.[101] These preparations may have prevented the fall of the castle to Alexander, but the burgh was clearly devastated by the attack. In 1430 and 1435 customs payments from Inverness were remitted by the government because the burgh had been "burnt by the Lord of the Isles rebelling against the King".[102]

The recent submission of the lord to James made his attack on Inverness a flagrant act of rebellion. Not surprisingly, the King was reportedly "enraged" by the MacDonalds' actions.[103] The Lord of the Isles was probably aware of the serious course he had taken and, with his close kin, seems to have been preparing to widen the conflict with the crown. Alexander clearly planned to use James the fat, who was in the possession of Donald balloch or his allies, to present their position as a serious challenge to the King's right to rule.

The King had been aware of this danger during his clash with the lordship in the previous year and had tried to neutralise it by establishing political links with the O'Donnells of Tyrconnell, a

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100 MacFarlane, *Gen. Coll*, i, 186-7. This parallels Buchanan's version of events which states that Alexander "went to Inverness in a seemingly peaceable manner; where being hospitably received he suffered his followers to pillage the town". The account then matches the MacKintosh history. Given the evidence of military preparations in 1428-9, it seems unlikely that the lord would be welcomed in the burgh, despite his apparent rehabilitation (Buchanan, *History*, CII, Ch. xxi).
101 *E.R.*, iv, 497.
102 *ibid.*, iv, 516, 634.
103 *Scotichronicon*, XVI, Ch. 16, l. 15-16.

major Ulster family.[104] Ewen O'Donnell's main interest in these links was to gain King James' aid against the English government and its main Ulster stronghold, Carrickfergus castle. There was apparently no attack on the castle in 1428 and James presumably hoped that the O'Donnells would prevent the MacDonalds of Antrim and their Irish allies intervening in Scotland. However, in early 1429, a fleet came from the Isles to James the fat "to convey him home that he might be made King".[105] This was the situation which the King had feared since 1425, the return of the Albany claimant with significant Scottish backing. The MacDonalds may have presented James the fat as King and have hoped to use him to stir up local trouble in Argyll and the Lennox, where his earlier rebellion had occurred.

In attempting to deal with these rival Stewart claims, the King may have added to his increasingly tense relations with England. By interfering in Ulster and the Dublin administration's conflict with the O'Donnells, James may have drawn English attention to the position of the Albany heir, and in May 1429 instructions were issued to an English agent, "to go to Ireland to seek for James Stewart of Scotland and convey him safely to England".[106] In connection with the increased Anglo-Scottish tension during 1429, this was an ominous development. Thus in early 1429 King James was faced with the possibility of both the lordship and the English supporting his rival as a means of discomfiting him.

The King was saved from this prospect by the timely death of James the fat in Ireland. News of his death had probably reached Scotland by the beginning of May and could have been carried back by the fleet of the lordship.[107] The knowledge that there would be no

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104 A. Cosgrove, *Medieval Ireland*, 576.
105 *ibid.*
106 *P.P.C.*, iii, 327.
107 The first indication of James the fat's death comes from the 1429 exchequer audit for Dumbarton rendered on 21 April. Unless this

attempt to restore the Albanys must have eased the King's mind during his preparations to go north. However, James had been fortunate in that the death of his rival removed the possibility that the lordship could present its efforts as a renewal of the political crisis of 1425 and reduced the struggle to a royal attack on a disruptive vassal. There was no further indication that the English were prepared to support the lordship, and in July 1429 the O'Donnells were issued safe-conducts to do homage to Henry VI.[108]

The actions of James and Alexander between the attack on Inverness, probably in late April, and the King's expedition to the north in June, are not clear.[109] The MacKintosh history refers to a siege of Inverness castle, possibly of long duration. However for the blockade to last more that a week would have been unusual in highland warfare. It is more likely that Alexander withdrew after the failure of his initial assault, possibly retreating "precipitously to Lochaber".[110] This statement may simply reflect the fact that Lochaber was the site of the clash in June, but the area would also have provided a good base of action for Alexander. It would allow him to retain contact with both Ireland and the Isles, and also keep in touch with Ross and the royal forces at Inverness.

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was a later addition, it means that the Scots were aware of Stewart's death over a fortnight before the English government began looking for him. Bower's statement that James the fat "has never since then returned to Scotland" seems to imply that, when the abbot was writing in the 1440s, Stewart was still alive. However, his failure to appear in 1429 or after 1437, when his mother and half-uncles were again at liberty in Scotland, suggests that he was dead before the lordship fleet was sent to fetch him (*E.R.*, iv, 493; *Scotichronicon*, XVI, Ch. 10, l. 38-39). The English search may however have resulted in their custody of Andrew and Murdac Stewart, two bastard sons of Walter of Lennox who were in England in 1437 (*Rot. Scot.*, ii, 300).

108 *C.P.R.* (1422-9), 542.

109 If James Stewart died before 21 April it seems likely that the lordship had been seeking to bring him to Scotland before this date. Such a move would show that the lordship was taking hostile action against the crown and, as the attack on Inverness probably took place early in the conflict, a date for the assault much after the beginning of May is unlikely.

110 MacFarlane, *Gen. Coll*, i, 186-87.

If the lord's force was drawn from both Ross and the Isles as Bower says, Alexander was clearly still in contact with all his lands.[111] In May and early June he was probably involved in raising this force, and parts of his army may have been employed in harrying his enemies round Inverness and Badenoch.

Like Alexander, the King probably spent the period between the attack on Inverness and his expedition raising troops. He was based at Edinburgh which allowed him to ensure an impressive attendance from southern Scotland.[112] It seems likely that he was also organising supplies of men and food for Inverness. That the 1429 customs from Inverness were not rendered because no ships were available to trade with Flanders suggests that these local vessels were involved in the defence and victualling of the area during the military crisis.[113] Similarly, it may have been at this point that troops were conveyed by Thomas Chalmers, burgess of Aberdeen, from Leith to his home town.[114] The King was probably supplying and reinforcing his northern forces, which were under direct pressure from the lordship. These northern supporters of the King were almost certainly led by Mar and his son, and the earl may have forced MacDonald's retreat from Inverness by leading a local army to the defence of the burgh. Mar's army probably contained Alexander Seton of Gordon and at least one of the Forbes brothers who were with the earl at Inverness in July.[115] It was also in July that a supply of cloth was given to Seton of Gordon "for distribution to Walter Davidson and his men".[116] The phrasing and timing of this suggests

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111 *Scotichronicon*, XVi, Ch. 16, l. 19.
112 *R.M.S.*, ii, nos. 118-126; *H.M.C.*, Milne-Hume, no. 582.
113 *E.R.*, iv, 497.
114 *ibid.*, iv, 511.
115 *R.M.S.*, ii, no. 127. William Forbes of Kinaldie was present but the absence of his elder brother, Alexander, may suggest his continued employment on royal business.
116 *E.R.*, iv, 510. The presence of Bishop Cameron makes the July date plausible.

that the men were a military retinue, possibly under Seton's command. Walter could conceivably have been a kinsman of Robert Davidson, the provost of Aberdeen and associate of Mar who was killed at Harlaw.[117] Walter's men may, therefore, have been part of a band furnished by the burgh of Aberdeen. A payment of 10 marks for the "arming" of Hugh Fraser of Lovat in December 1429 suggests the involvement of this Moray and Inverness-shire landowner in the royal forces.[118] As by the end of the year at the latest Fraser was deputy-sheriff of Inverness, his participation is quite likely. The Earl of Mar probably remained at Inverness after the attack on the burgh and his army was possibly supplied by sea. This would have repeated the strategy of 1415, when Mar received payment "for food and arms for the ships sent to the northern parts for the defence of the nation against the islesmen (*insulares*)".[119] By 1429 this had probably been accepted as the best way of defending the area against the lordship.

While Mar defended Inverness, the King was probably occupied with levying support from the south. The leaders he assembled were, in part at least, still with him in late July at Inverness. They included three of the magnates from the south of the Mounth, the Earls of Douglas, Angus and Crawford, and four of the main barons from Lothian, Walter Haliburton of Dirleton, William Crichton, Adam Hepburn of Hailes and William Borthwick.[120] While these four barons were all connected to the King and his government to some extent, this must still be seen as evidence of James' success in mobilising

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117 *Scotichronicon*, XV, Ch. 21, l. 63.
118 N.L.S., ADV 34.6.24., 171r.
119 *E.R.*, iv, 265. In 1415-6 the government was probably struggling to hang onto Ross and the Great Glen.
120 *R.M.S.*, ii, no. 127. The presence of Douglas and Crawford undermines the assertion of the *History of the MacDonalds* that the Lindsays, Douglases and Hamiltons were in sympathy with the lordship, a story borrowed from the 1450s. Crawford's concern may have been in part with his Inverness-shire lands but, in general, the attendance of these lords indicates southern backing for James (*H.P.*, i, 35).

the southern nobility for military action. Such attendance in later July suggests that on his march north James was accompanied by an impressive force of men. The only two active earls not involved were March and Atholl, and their absence was probably due to local concerns. March was almost certainly employed in policing the border, while Atholl, who was probably acting as justiciar in the north, may have had an equally important role in northern Perthshire.

The role played by Atholl was especially important, as James may have gone north through Perthshire. The King was still at Edinburgh in early June and this delay may have encouraged the Lord of the Isles to see Mar's force as the main danger.[121] As a result the speed and direction of the royal advance possibly caught Alexander of the Isles by surprise. The last charter to be issued before the King's departure was dated 20 June from Edinburgh, only three days prior to the clash with the lordship army in Lochaber.[122] The charter is probably not dated with complete accuracy, but it seems likely that James' advance from the south was swift. There is no evidence of a long royal progress to Inverness via Aberdeen as in the previous year, and it is possible that the army took the more direct inland route into Lochaber through Atholl and the southern end of Badenoch. Despite the difficult nature of the country, this route is much shorter than the coastal circuit and James may have reached Lochaber about a week after his departure from Edinburgh.

This route would also explain the confusion over the site of James' subsequent clash with the lordship army. In Bower's text the battle occurs in "a bog in Lochaber" but, according to the heading of the chapter, the fight took place in Badenoch.[123] If Alexander's army was in Lochaber and James' approach took him through Badenoch, a

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121 *R.M.S.*, ii, nos. 122-125.
122 *ibid.*, no. 126.
123 *Scotichronicon*, XVI, Ch. 16, l. 18.

subsequent divergence of opinion could have arisen, especially if the battle was fought in Glen Spean between the Braes o' Lochaber and the southern end of Badenoch.[124] In the *Scotichronicon* the incident is referred to as "the fight and rout (*conflictu et fuga*) of Badenoch" and it is clear from Bower's account and the lack of any indication of major losses on either side that the battle was no second Harlaw.[125] It was apparently decided by defections from the army of the Lord of the Isles which led to a general rout. The nature of the fight is possibly an indication that Alexander's army of, according to Bower, 10,000 men was not prepared for an attack and was possibly dispersed for raiding or foraging purposes. The strains of defensive warfare on a type of army which was traditionally more effective on the offensive may also have contributed to the defeat.

Bower reports that when the men of the lordship "saw that the royal standard had been unfurled, two clan-groups (namely Clan Chattan and Clan Cameron) withdrew from the scene and surrendered to royal authority".[126] The presence of the King and the size of his army could have had an effect on his opponents, especially those from the mainland, who would feel less secure about their independence from royal authority. As we have seen, Malcolm MacKintosh, the captain of Clan Chattan, had probably been serving against the lordship, but it is possible that other branches of the clan-group (*tribus*) were in Alexander's army. Alternatively Bower's statement may reflect a general collapse of mainland support for the lordship. Both the MacKintoshes and the Camerons supported the King in 1431,

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124 The Lord of the Isles held lands in the area which were subsequently granted to the MacKintoshes. Alastair Carrach also held lands in Glenspean. This concentration of estates makes it a possible base for the lorship army (*H.P.*, i, 32; Munro, *Lords of the Isles*, no. 42).
125 *Scotichronicon*, XVI, Ch. 16.
126 *ibid.*, XVI, Ch. 16, l. 20-22.

and the implication that a speedy submission was given by the two tribes probably reflects their fears about royal hostility.

The King's victory over the lordship on 23 June was very impressive but he was still faced with two problems. Alexander and his kin had clearly escaped in the rout and James had to determine on and enforce a political settlement in the aftermath of the battle. These problems required the King to remain in the north for over a month to oversee the operations of royal forces against the surviving mainland strongholds of the lordship. It was probably in the period from 23 June until early August that James' supporters captured Dingwall and Urquhart castles.[127] Both strongholds were in government hands before the exchequer audit of March 1430 and in the same account payment is made "for the repair of the King's artillery damaged in crossing by sea to the Isles".[128] This suggests a royal offensive against the heart of the lordship, although the extent of James' artillery train in 1429 was probably limited.[129] The account could refer to the transportation of guns by sea to the west to join the King's forces in Lochaber, but at face value it seems likely that men and guns were sent to Mull or Skye to demonstrate the strength of the crown and its ability to intervene in the Isles.

While his troops were engaged in these operations, the King seems to have undertaken a progress around Ross and Moray. Provision was made for his stays at Darnaway and Spynie castles, suggesting that James visited the Earl of Moray and the earl's distant kinsman, Columba Dunbar, bishop of Moray.[130] The King probably also visited

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127 *E.R.*, iv, 497, 510.
128 *ibid.*, iv, 511.
129 Large-scale expenditure on guns only really began in 1430 when James bought the bombard 'Lion' and paid for the construction of 'bombards, engines and other war-like apparatus' (*Scotichronicon*, XVI, Ch. 16, l 58-63; *E.R.*, iv, 677).
130 *E.R.*, iv, 509. The Bishop was a brother of George, earl of March.

Dingwall, which in the context of 1429 and his possible claim to the earldom makes it likely that James was already thinking in terms of Ross as a permanent royal possession. During his eight week stay in the north James was probably attempting to create personal ties with a number of local figures. The visits to the Earl and Bishop of Moray and the submission of the mainland allies of the lordship form an indication of this. Although this process can hardly have been completed in a month, James may have begun to establish local acceptance of the crown's new influence in the area.

The military and political achievement of James must also have placed the fugitive Lord of the Isles under considerable pressure. It seems likely that after the battle in Lochaber, Alexander had left the mainland to avoid capture.[131] However, according to Bower he "realised that he could not find any refuge within the kingdom now that the King had been provoked".[132] This state of mind may have been induced by the loss of the lordship's mainland castles and allies and the continued presence of a sizeable royal force in the north. The demonstration against the Isles themselves may have been the final straw, and Alexander sent a "deputation" to the King to negotiate.

James rejected this attempt of the lord to bargain. His refusal to talk suggests that the King had already decided on a political course which was more extreme than the previous year. Faced with the prospect of continued royal aggression, the Lord of the Isles accepted defeat and offered his surrender. James probably went south in mid-August when he was sure that Alexander would submit. As in

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131 According to Buchanan, after Lochaber, "being thus deprived of his strength, and having no great confidence in the fidelity of the rest, he (Alexander) began to think of hiding himself again, and so, dismissing his army, he retired, with some few into the *Aebudae* (Hebrides), and there consulted concerning his flight into Ireland" (Buchanan, *History*, CII, Ch. xxxi).

132 *Scotichronicon*, XVI, Ch. 16, l. 25-26.

the previous year the King had captured and humiliated the lord. Unlike the events at Inverness in 1428, however, James' second attack on Alexander was a clear demonstration of the ability of the crown to defeat the lordship in the field. James' victory must have wiped out the idea that the Lord of the Isles could defy the King, and it prepared the way for the royal attempt, in 1430 and 1431, to dismantle MacDonald power on the mainland.

iii. Lochaber and the Isles - Royal Aggression in the West

> Alexander (of the Isles) surrendered himself absolutely to the King's mercy and ... clad only in shirt and drawers and on his knees, he offered and rendered to the King a naked sword before the high altar of Holyrood at Edinburgh, while the Queen and the more important lords of the kingdom interceded for him. The King admitted him to his grace and sent him to Tantallon castle in the care of his nephew Sir William the earl of Angus, until he might be further advised about what to do with him.[133]

The submission of the Lord of the Isles on 27 August 1429 was clearly intended as a royal triumph, with Alexander throwing himself on the mercy of the King. The act, or at least Bower's description of it, suggests a formalised ceremony with James, his Queen, his chief subjects and his prisoner all playing pre-determined roles. However, the public surrender of Alexander had a significance above the simple confirmation of the King's victory in Badenoch. It suggests that James had taken a decision about the future of the lord and his landed position in the north and west. By his total submission, Alexander was clearly giving the King the right to make such a decision.

The fact that James "admitted him (Alexander) to his grace"[134] indicates that the King had spared the lord's life. This may have been guaranteed previously and James may have appreciated that any attempt to execute Alexander could rebound upon him. The lowland magnates would have been reluctant to condemn another of James' enemies following the 1425 executions, and the King may have been anxious to preserve the support which he had possessed during the

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133 *ibid.*, XVI, Ch. 16, l 27-36.
134 *ibid.*, XVI, Ch. 16, l 33-34.

campaign in the north. Furthermore the death of Alexander could only increase the hostility of the lordship and increase the standing of Donald balloch, the obvious replacement for his cousin. The decision to send the lord to Tantallon allowed James to keep his options open, pursuing territorial goals without losing control of the political head of the Isles.

The extent of royal interference in the west was probably also discussed by the King at this point. Although Mar was not in Edinburgh, presumably due to his role in the north, James was accompanied by a sizeable and prestigious council between 20 and 30 August 1429.[135] Among those present were the Earls of Atholl, Douglas, Angus and Orkney and Bishop Cameron, and it was this group which the King must have consulted about the future of the lord and which "further advised" him after the ceremony.[136] The significance of Alexander's submission in terms of royal ambitions is unclear but it is possible that the lord resigned all, or at least some, of these estates into royal hands, and that James retained them while Alexander was in custody.

Subsequent events would seem to support the idea that the King had established some kind of claim over the estates of the Lord of the Isles at this point. The two meetings of the estates in October 1429 and March 1430 were both connected with James' plans for renewed military action in the north and west. The general council which met at Perth in early October was probably a continuation of the parliament of April.[137] Such a continuation had been planned for November or during the winter, and this early recall, possibly

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135 *R.M.S.*, ii, nos. 128-30.
136 Angus' presence fits Bower's statement that Alexander was committed to his care.
137 I. O'Brien, 'The Scottish Parliament in the Fifteenth and Sixteenth Centuries' (unpublished Ph.D. thesis, University of Glasgow, 1980), Appendix H.

coinciding with the parliament of the burghs, suggests that James was anxious for a speedy meeting with his chief subjects.[138] At the council an act was passed which attempted to make western lords maintain a number of "galayis and schipping gret and small".[139] This legislation was clearly connected with a discussion of the situation in the west, and shows that some planned royal action was announced by the King at the council. The vague and brief nature of the law suggests that the precise nature of royal goals had not been determined, but it must be seen as an indication of James' ambitions in the aftermath of Alexander's surrender.

The parliament of March 1430 was probably also largely concerned with the King's highland policy, and there were several pieces of legislation on the subject. The meeting passed a re-drafted demand for ship-service, showing the development of the King's plans. The new act required landowners in the north and west, significantly named as "fornent (opposite or adjacent to) the ylis", to provide galleys assessed at one oar for every four marks of land, or to maintain any old service which they owed.[140] This galley fleet was to be kept and repaired by all lords with estates up to six miles inland of the west coast. The King expected this service to be fulfilled by May 1431, which must be an indication of his long-term planning. If James was thinking in terms of a major intervention in the lordship such a fleet was essential. Earlier Kings had granted lands in the west in return for such service and it seems from the 1430 act that James was incorporating these grants into his scheme.[141] In the light of this, the grant of Glenorchy and other

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138 *A.P.S.*, ii, 17. A clause was included allowing the King to recall the estates at fifteen days' notice during the winter.
139 I. O'Brien, 'The Scottish Parliament in the Fifteenth and Sixteenth Centuries' (unpublished Ph.D. thesis, University of Glasgow, 1980), Appendix H, c. 3.
140 *A.P.S.*, ii, 19, c. 17.
141 *R.M.S.*, i, app. i, nos. 9, 32, 106.

lands by Duncan Campbell of Lochawe to his son Colin, which occurred in 1432, is an important indication of the act in practice.[142] Colin promised to serve his father and the King with a ship of sixteen oars even though the lands in question lay inland. The position of the estates and the inclusion of the King could suggest that Duncan of Lochawe was trying to provide the ships required of him by James. That the grant occurred in 1432, after the period of royal expansion in the west, may show that the scheme took longer than planned to implement, but the King was clearly looking to build up royal seapower in the west by placing these exactions on his supporters in Argyll and in other areas on the western seaboard.

Two other acts dealt with the aftermath of the King's victory of 1429. The first dealt with punishments for

> the Kingis legis that warnyt war and schargit to pas with hyme in the northe cuntre agaynys his rebellouris and bade at hame withowtyne the Kyngis leife or turnyt agayne be the way withowtyne lefe or tuk payment and held it (at) thar awne ayse and made no serwys tharfor.[143]

This act makes it apparent that the King's army of the previous summer, although it was successful and still included a number of magnates a month after being led north, was not without deserters. It is also proof that the King had levied a paid force, in part at least. His concerns in passing the law may have been to recover the money wasted on raising these troops and to discourage future desertions from royal service in the north. The legislation about

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142 *Origines Parochiales Scotiae*, Bannatyne Club, 2 vols (Edinburgh, 1851-5), ii, pt. i, 126; S.R.O., GD 112/1/5; S. Boardman, 'Politics and the Feud in Late Medieval Scotland' (unpublished Ph.D. thesis, University of St. Andrews, 1989), 23-24.
143 W. Croft-Dickinson, 'The Acts of the Parliament at Perth, 6 March 1429-30', in *S.H.R.*, xxix (1950), pp. 1-12, 9.

deserters was immediately followed by a ratification of the King's plans for the Lord of the Isles.

> Item, it is ordaynt be the thre estatis that Alexandyr of the Ile sal remane under sekyr kepynge with the Kynge quylle he funde souer and sekyr borowyss (bail) that the kyngis legis and the kynryk be skathlase and kepyt wnhurt in tyme to come.[144]

The chances of Alexander finding the bail required of him without royal permission were non-existent, and, in effect this act gave James' indefinite detention of the lord the support of parliament. The fear of disorder being renewed in the event of Alexander's release makes it clear that the political community had learnt from the lord's previous captivity and that James was able to present the imprisonment of his enemy as essential for the peace of the realm.

As well as these acts, the parliament of March 1430 was involved in the forfeiture of Thomas Neillson MacKay for "rebellion against the King's majesty".[145] The details of this will be discussed later, but together these incidents suggest the importance of northern affairs at the parliament. As with the October council, James had summoned the estates in advance of the date initially decided upon, probably because he needed considerable magnate co-operation in his strategy for the summer.[146] In this case, the large-scale attendance at the parliament, which included six earls and eight bishops, may have been an indication of support for James.[147] It does, however, suggest the concern of the political community about royal intentions for the coming summer.

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144 *ibid.*, 11.
145 *R.M.S.*, ii, nos. 147-49.
146 I. O'Brien, 'The Scottish Parliament in the Fifteenth and Sixteenth Centuries' (unpublished Ph.D. thesis, University of Glasgow, 1980), Appendix H, c. 1. Parliament was supposed to be recalled about midsummer.
147 *A.P.S.*, ii, 28.

Among those present were the Earl of Mar and Seton of Gordon, who had first hand knowledge of the political situation in the north between August 1429 and the parliament.[148] More important than these royal supporters was the attendance of the Bishop of the Isles. In 1429 the bishop was Angus, the bastard half-brother of Alexander of the Isles.[149] His presence may indicate that he had submitted to royal authority, either with his brother or in the winter of 1429-30, possibly motivated by fear of an attack on his position. As the price for his rehabilitation Bishop Angus may have had to transfer Iona Abbey to the authority of the bishopric of Dunkeld, which Bower reports happened in either 1430 or 1431 at the Carmelite Friary at Tullilum near Perth.[150] This transfer could have coincided with the March parliament in the burgh and Angus' apparent obedience meant that both the secular and ecclesiastical authorities in the Isles acknowledged James' new authority. Just how long the bishop continued on this course is unclear as are his whereabouts after March 1430 but, at the parliament, his appearance was another sign of royal success.

However, if there was evidence that the King had achieved impressive advances in royal authority in the north and west, worries about his preoccupation with these remote areas of the kingdom may have surfaced at the parliament. A series of statutes "ordanit for the marchis" were issued by the estates "for the profit and governance of the realme".[151] These ordinances deal with the defence of the marches and the local military organisation as well as the equipment and orders for the host in general. The act was clearly

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148 The Earl of Moray was, however, conspicuously absent from the judicial committee of the parliament.
149 A. Cameron, *Reliquae Celticae*, ii, 211.
150 *Scotichronicon*, XVI, Ch. 17, l. 47-49.
151 I. O'Brien, 'The Scottish Parliament in the Fifteenth and Sixteenth Centuries' (unpublished Ph.D. thesis, University of Glasgow, 1980), Appendix I.

intended for the eventuality of an Anglo-Scottish clash as the expiry of the truce approached in May 1431, but the stress on the role of the wardens and their lieutenants suggests that James was concerned to establish the border defences in his absence.[152] Given the tone of the 1430 parliament it is quite possible that the King was planning another expedition to the highlands in the summer and was leaving the wardens specific powers and duties in his absence. The fact that about the beginning of 1430 the King disposed of the wardenships to give each march its own local official may emphasise the importance of the wardens in the King's plans for the summer.

Mar's presence at the parliament may have been connected with the forfeiture of the late Thomas Neillson MacKay and the rewards given to his captors there.[153] The events surrounding these proceedings were apparently the result of a private feud in Ross and Sutherland, but royal interest and the timing of the events suggest that they were connected with the King's policy in the north. Thomas Neillson was the head of a junior branch of the MacKays of Strathnaver and held considerable estates in Strath Halladale and, more importantly, Wester Ross and around the Kyle of Sutherland.[154] In these latter lands he may have been seen as a threat to the royal takeover of Ross and as a party to the alliance between Angus dubh MacKay of Strathnaver and the lordship, which was the overlord of some of his estates.[155] The attack on the MacKays was given the "attolerance" of the Earl of Sutherland, according to Sir Robert Gordon, but, as he was a hostage in England, the earl can hardly have intervened in person.[156] However, Mar was Sutherland's uncle and had

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152 *C.D.S.*, iv, no. 949. The truce was renewed for five years in December 1430 to begin in May 1431 (*C.D.S.*, iv, no. 1038).
153 *R.M.S.*, ii, nos. 147-149.
154 *ibid.*
155 Munro, *Lords of the Isles*, no. 19; *MacKay Book*, 58.
156 R. Gordon, *Genealogical History of the Earldom of Sutherland*, 64.

retained his political ties to the family.[157] It is therefore possible that, in alliance with his sister, the dowager Countess of Sutherland, Mar gave his backing to Neillson's local enemies. These were led by Angus Moray of Culbin, a retainer of Sutherland, and his two sons-in-law, Neil and Morgan MacKay, the bastard half-brothers of Thomas. The brothers seized Thomas and handed him over to Moray who conveyed him to Inverness for execution. Thomas was condemned for the killing of Mowat of Freswick in St Duthacs at Tain but, as he was described as a rebel against the King in his forfeiture, this may have been a pretext for the removal of a local opponent of James. The execution at Inverness, which probably occurred in the winter of 1429-30, must have had official sanction, and the whole incident should be viewed as an example of effective local 'policing' by the King's lieutenant.[158] A potential supporter of the lordship had been removed and replaced by men whose lands were clearly held from the King and who had a vested interest in defending the new order. The successful extension of royal influence in the north during 1430-1 depended on the ability of Mar and his allies to turn local landowners into supporters of the crown.

Despite the importance which was accorded to the King's plans on the marches and in the highlands at the parliament of March 1430, it was possibly as late as May before the situation was fully decided. On 15 May at Perth the King formally granted the earldom of Caithness to Alan Stewart, the second son of Walter, earl of Atholl.[159] Alan was described as earl at the March parliament, suggesting that his father had already resigned Caithness to him unofficially and that he

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157 Sutherland was in Mar's retinue on the continent in 1407-8, and his mother held lands in Mar (*Wyntoun*, iii, 112; *E.R.*, v, 61). Mar was also reputedly related to Angus dubh as his mother was supposed to be a MacKay (*MacKay Book*, 48-49).
158 R. Gordon, *Genealogical History of the Earldom of Sutherland*, 64-65.
159 *R.M.S.*, ii, no. 152.

was already being prepared to act as a royal supporter in the north.[160] The formal confirmation of the earldom may therefore have been merely part of a royal council which discussed the leadership of the King's northern forces. Among those in attendance with the King, Atholl, and Caithness were the Earls of Mar, Douglas and Angus, which makes it likely that the situation on the marches was also under discussion. The delicate state of Anglo-Scottish negotiations at this point could explain the importance of James' meeting with two of his wardens, and this preoccupation may have decided him against campaigning in the north. In the following year, Caithness was in Mar's army at Inverlochy and it is possible that, on his creation as an earl, Alan was appointed as Mar's deputy in the north.[161] It may also have been on this occasion that the Earl of Mar's position as royal lieutenant in the north was extended specifically to cover Lochaber. According to the *History of the MacDonalds*, such a grant took place and Mar was either granted the lands or commissioned to administer them for the King.[162] If James had decided not to go to Moray or Lochaber in person in 1430, this would be a logical point both for this grant and for a general re-organisation of the royal position in the north. It would also provide an explanation for the resumption of Mar's annuity of £133 6s 8d from the Aberdeen customs.[163] If the earl were acting independently of the King the additional funds were probably essential.

The appointment of Alan, earl of Caithness, as Mar's deputy may have been the result of the death of Lord Thomas Stewart. Thomas, Mar's designated heir, was still alive in early January 1430, when he was at Aberdeen, but was dead by 1432.[164] However Hugh Fraser had

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160 *A.P.S.*, ii, 28.
161 *H.P.*, i, 41; *Scotichronicon*, XVI, Ch. 17, l. 5.
162 *H.P.*, i, 39, 44.
163 *E.R.*, iv, 536.
164 *Spalding Misc.*, iv, 115; *C.S.S.R.*, iii, 246-47.

been elevated from Thomas' deputy to the office of sheriff of Inverness by early 1431 and, as a new deputy was in office as early as May 1430, Hugh could have been promoted to fill the vacancy left by Thomas' death in the spring of 1430.[165] Thomas' demise was to have disastrous consequences for the political situation in the north east in the long-term, but its most immediate effect was to weaken local aristocratic leadership beyond the Mounth. Caithness was probably promoted as a replacement for Thomas, and Atholl may have hoped that his son would benefit from royal success in the north.

The grant of Lochaber to Mar was part of the formalisation of the King's position in the north. Within a fortnight of the council with the earls at Perth, James issued two charters to Donald, thane of Cawdor.[166] The first was concerned with the lands held by Donald from James, earl of Moray, but the second was the resignation and re-grant of the thane's estates at Easter Kinkell, about three miles from Dingwall in the earldom of Ross. This second grant and the King's disposal of the lands of Thomas MacKay in Ross show that, by 1430, James was acting as Earl of Ross and was presumably still in possession of Dingwall castle.[167] The King had probably re-stated the crown's rights to the lordship and castle of Urquhart, which had been occupied by the Lord of the Isles' supporters since the 1390s. In putting forward a claim to Lochaber, following Alexander of the Isles' surrender, the King was, geographically, taking the next step in the extension of his influence in the north. Lochaber was the obvious route to the Isles from Inverness or Badenoch, and was administered by Alastair Carrach for the lord.[168] Alastair was in arms against the King in 1431 and may have provided consistent

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165 *R.M.S.*, ii, nos. 179, 193.
166 *ibid.*, nos. 155, 156.
167 *ibid.*, nos. 147-149.
168 His father was called Lord of Lochaber in 1394 (Munro, *Lord of the Isles*, no. 4).

opposition to royal forces in the area from 1429 onwards. As well as these geographical and military reasons for moving against the area, James may have felt that he could present a better claim to Lochaber than the neighbouring areas of influence in Garmoran and the Isles. Unlike these lands, Lochaber had been granted to the Lord of the Isles by the crown. Charters of Robert I, David II and of Robert II maintained this link, and its inclusion in the marriage jointure between John of the Isles and Margaret Stewart suggests that the Kings were able to change the status of the lands.[169] This tradition may have encouraged James to believe the area was more easily detached from the remainder of the lordship.

The military aims of the King and his lieutenant in the north centred, therefore, on the extension of royal control over Ross and the Great Glen. The campaign of 1431 in Lochaber suggests that the area was still outside government influence during the previous year. The situation in Ross and around Loch Ness is less clear. The castles of Dingwall and Urquhart would provide centres of activity for James' supporters and the removal of Thomas MacKay shows the effectiveness of some of the King's local adherents. However the evidence of the royal administration of Ross and Inverness-shire in 1430 largely deals with landowners like Donald of Cawdor and Hugh Fraser of Lovat, who were, respectively, the sheriffs of Nairn and Inverness and who held estates in Nairn and the earldom of Moray as well as in the areas to the north and west. The position of men like Munro of Foulis and Ross of Balnagown in 1430 is less clear, but they may have maintained the links with the lordship which had led both men into trouble at the Inverness parliament.

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169 *R.M.S.*, i, app. 2, no. 57; *ibid.*, i, no. 568; Munro, *Lord of the Isles*, app. A, nos. A2, A9.

The limited evidence suggests that Hugh Fraser of Lovat was active in the north on the King's behalf. Fraser was a vassal and adherent of the Dunbar earls of Moray and was lord of part of the strategic barony of the Aird, just to the west of Inverness.[170] While he may have been able to defend these lands, it seems he was unable to control his other Inverness-shire estates in 1429-30. These were centred on the barony of Abertarff at the southern end of Loch Ness, which included a third of Glenelg on the west coast. According to an inquest of 2 May 1430, ratified by the King in September the same year, "the said lands ... are now of the value of ten marks per annum and worth 340 marks in time of peace".[171] The scale of these losses must have been more than just the effect of raiding. They suggest that Fraser was unable to draw revenue from almost the entire barony. According to the royal confirmation of the inquest, the official records of Fraser's tenure of Abertarff "were burned, consumed and destroyed as a result of the wars of the rebellion of the Isles against the King". The fact that the inquest proceedings were not directly incorporated in the royal confirmation may indicate that this was among the documents lost by Fraser, and that the destruction took place in the summer of 1430. In any case the loss of Fraser's documents is a further sign of the extent of violence in the north during 1429 and 1430, especially in the Great Glen where Hugh's lands were centred and where royal influence was being pushed southwards.

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170 *R.M.S.*, ii, no. 179. Fraser held Abertarff from the earldom of Moray and had entered a marriage contract with Thomas, earl of Moray in 1422 to arrange a union between the earl's daughter and Fraser's son. In 1424 Hugh Fraser was on the same safe-conduct to go to Durham as Earl Thomas and his successor, James Dunbar of Frendraught, suggesting he had links with both men (*Spalding Misc.*, v, 256; *C.D.S.*, iv, no. 942).
171 *R.M.S.*, ii, no. 179.

In the confirmation of the inquest, which was issued in September, there is a reference to the death of James, earl of Moray "about the last feast of Saint Laurence (10 August)". Against the background of conflict in lands held by Fraser from the earl, Moray's death could conceivably have been connected with the fighting against the lordship. That two of his main vassals, Fraser and Cawdor, and his neighbour, Seton of Gordon, were all closely involved in the attack on the MacDonalds makes it likely that Moray too was an active participant in the warfare of 1430. Although there is no direct mention of major confrontations or fighting during this year, it is probable, that local forces under Mar, Moray, Caithness and Fraser of Lovat extended royal influence in Ross and Lochaber against the opposition of lordship adherents in those areas.

Although the King left the situation in the north to Mar and other local forces, he was possibly still involved in the attack on the lordship during the summer of 1430. There is evidence of royal concern with the southern area of MacDonald influence and, during the year, the government probably attempted to occupy Knapdale and Kintyre, the only mainland estates of the lordship south of Argyll. This course of action parallels the claims to Lochaber pressed by James at the same time. Knapdale and Kintyre were accessible to royal forces and a stepping-stone to the Isles and, like Lochaber, they were not an integral part of the lordship. Instead they had been granted to John of the Isles by Robert Stewart probably as part of the 1350 marriage settlement.[172] Therefore the King possessed a good claim to the lands and, as Knapdale had been included in the principality created for him in 1404, James may have felt a strong desire to bring them under his control.[173] In terms of the war

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172 *ibid.*, i, no. 569. Only part of Knapdale is included and this portion was presumably retained by the crown.
173 *H.M.C.*, Mar and Kellie, i, 7.

against the lordship, the occupation of Knapdale and Kintyre may have been aimed specifically against Donald balloch, as the attack on Lochaber was directed at Alastair carrach. Donald held lands in Kintyre worth, reputedly, 120 marks and probably administered the lands of the lordship in the peninsula.[174] As Donald was almost certainly an active opponent of James from 1429 to 1431 the royal concern with Kintyre was probably linked to its proximity to the Stewart lands around the Firth of Clyde which Donald himself exploited in the 1450s.[175]

During late 1429 and 1430 Donald was probably based in Antrim rather than Kintyre. Two reports from the Anglo-Irish government suggest that a large number of Scots were present in Ulster during 1430.[176] The reports were concerned with the possibility of renewed Scottish support for attacks on the embattled Anglo-Irish colony in Ulster, but there is no evidence of such a campaign being launched. Instead it is quite likely that the Scots were refugees from the Isles in Donald's lands in Antrim. In 1431 Donald balloch returned to Ireland after Inverlochy, and his activities of the previous year were probably based on the same area.[177] To deal with this, James reverted to the policy of working with the O'Donnells. Between 1429 and 1433 payments were made from the customs and the tax revenue to the Bishop of Derry.[178] As the bishop was Eugenius O'Donnell it is likely that he was in Scotland negotiating on behalf of his family and that the King was attempting to increase pressure on Donald from his Irish neighbours.

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174 *H.P.*, i, 32.
175 Munro, *Lords of the Isles*, lxviii-lxix; A. Grant, "The Revolt of the Lord of the Isles and the Death of the Earl of Douglas", in *S.H.R.*, lx (1981), 169-74.
176 Cosgrove, *Medieval Ireland*, 576; *C.P.R.* (1429-1436), 68.
177 *Scotichronicon*, XVI, Ch. 17, l. 10.
178 *E.R.*, iv, 585, 677.

At the same time as this, a campaign was launched via Argyll into Knapdale and Kintyre to put pressure on the MacDonalds in the south. It is possible that this expedition was led by the King and that it took place during July 1430. On 10 August 1430, James issued a commission at Perth to Alexander Montgomery of Ardrossan and Robert Cunningham of Kilmaurs making them his keepers of Knapdale and Kintyre.[179] This could show that the lordship was already in royal hands as the two men mentioned, although they were powerful in Ayrshire, lacked the resources to exploit their commission as a private enterprise. Instead they were Stewart retainers whom James had called out in 1425 and whose existing responsibility for crown estates in Ayrshire could be logically extended to cover Knapdale and Kintyre. Unlike the Campbells, Montgomery and Cunningham could be trusted to foster royal control rather than private family aggrandisement.

If Kintyre and Knapdale were in royal hands by 10 August it would suggest a campaign in the area during July. The lack of evidence concerning James' whereabouts between 6 July and 8 August makes it possible that he participated in the expedition.[180] As we have seen, the King's legislation concerning the marches at the 1430 parliament suggests that he was preparing for his absence on campaign. It seems unlikely that he was in the north in 1430, and it is conceivable that an expedition to Kintyre is linked to the story of James' campaign in Argyll, reported by Buchanan.[181] In this account, "the King marched as far as Dunstaffnage" in pursuit of Donald balloch. Buchanan placed these events in October 1431 after Inverlochy, but given the King's failure to receive support for a campaign at this point, his release of Alexander of the Isles and the

179 *R.M.S.*, ii, no. 163; Fraser, *Eglinton*, ii, 27-28.
180 *R.M.S.*, ii, nos. 160-162.
181 Buchanan, *History*, CII, Ch. xxxiii, 93-94.

lateness of the season, this story seems unlikely. However, although Buchanan's timing may be wrong and he clearly embroidered his account with the story of Donald's death, it is possible that he was aware of the King's presence at Dunstaffnage in purusit of the Lord of Dunivaig, and inserted it into his history.

The Campbells of Lochawe could hardly escape involvement in any government intervention in the Kintyre peninsula, especially if the King was present. Signs of a closer relationship between the crown and the Campbells from early 1430 may indicate Duncan of Lochawe's participation in the attack against the lordship. At the 1430 parliament a settlement of Duncan's dispute with the Scrymgeours was discussed. Campbell was present and, in May, promised to act against his former ally, Ewen MacCorquodale, which shows his readiness to work with the King.[182] This latter document was issued on 11 May 1430 at Perth, only four days before the grant to Caithness, and it suggests that Duncan attended any discussion of the highland policy which took place at that time. His subsequent provision of galleys for the King makes it likely that Duncan was working closely with James in the west from 1430.

The commission granted to Montgomery and Cunningham suggests that James enjoyed a degree of success in Knapdale and Kintyre and was able to think about running the lands as part of the Stewartry.[183] The castles of Sween and Skipness, though not Tarbert and Dunaverty, were included in the commission and it is possible that this marks the extent of James' campaign in 1430. James' keepers were to appoint lieutenants and, with them, "lead our lieges living in these places to our peace, even granting the same our full remission ... seizing and raising the fermes of the lands". This

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182 *H.P.*, ii, 161, nos. xxiii, xxiv.
183 Fraser, *Eglinton*, ii, 27-28.

suggests that the King was aware of the limits of any intervention prior to August and was appointing two Ayrshire lords to police the area from Sween and Skipness and raise revenue from Knapdale and Kintyre to support their operations. It is possible that Cunningham and Montgomery's appointment was also connected with their presence on the expedition. This would suggest a mobilisation by the King of Stewart retainers from the south-west, as had occurred in 1425.

Despite the expedition to Argyll and Kintyre, the most concrete advances in royal authority between 1429 and 1431 were made in the north. In the lowland areas to the south of the Moray Firth this process was underway in May 1430, when the King confirmed a grant of the Earl of Moray to the Thane of Cawdor and the inquest was held into the lands of Abertarff, held from the earl by Fraser of Lovat.[184] These suggest an increase in government influence in the earldom and the shires of Elgin and Nairn during this period. The inquest was held by John Nairn, the sheriff depute of Inverness, and the jurors included the Thane of Cawdor, Rose of Kilravock and his son, Hay of Lochloy and Moray of Culbin. All of these men were vassals of the Earl of Moray for their main estates and, with the exception of Moray of Culbin, all were present at the 1420 meeting between Thomas, earl of Moray and Mary Leslie, which linked the earl to lordship control of Ross.[185] The support of this group for the crown, apparent from 1430, represented an advance on the 1424 position, based, in part, on the King's successes in the north. The change in attitude in the area must also have been the result of the attitude of James Dunbar, earl of Moray, from 1427. The support of

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184 *R.M.S.*, ii, no. 179.

185 Munro, *Lords of the Isles*, no. 20. For evidence of these men as vassals of the earls of Moray (*R.M.S.*, ii, nos. 156, 179, 193). There is however limited evidence of friction between Moray and the King in the 1420s, perhaps linked to the increased involvement of the crown in the area (*E.R.*, iv, 481).

Fraser, Hay of Lochloy and Cawdor for the royal forces in the north was, initially at least, as adherents of the Dunbar earls of Moray. The appointment of Fraser as a sheriff and John Nairn as deputy sheriff of Inverness was probably to give Dunbar's supporters a role in the government of the north.

Given this growing link between royal authority and the earldom of Moray, it is ironic that the death of James Dunbar resulted in an apparent increase in the King's influence in Moray. As has been mentioned already, the earl died about 10 August 1430.[186] He left two female children, Janet and Elizabeth, by a daughter of Alexander Seton of Gordon, and these were judged to be his heiresses despite a possible counter-claim by George, earl of March. The King was probably able to exercise the rights of the heiresses' guardian as, in the insecure situation of late 1430, the local community looked towards James I as a source of lordship. Between 14 and 20 September 1430, the King issued a series of charters concerning lands in Ross and Moray to Cawdor, Fraser of Lovat and other locals.[187] The presence of these men at court in Edinburgh or, at least, the preoccupation of the King with northern business, makes it possible that at this point James formally assumed the guardianship of the Dunbar heiresses. At the same time, the inclusion of the clause in one of Donald of Cawdor's charters that his lands of Fergus and Dempster in Nairn were held "of the King and his heirs as earls of Ross", shows that James was clearly stating his authority over this earldom as well.[188]

By early 1431 the King was probably able to administer the shires of Nairn and Elgin and the north-eastern part of Inverness-shire with a degree of effectiveness. This can be measured in part

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186 *R.M.S.*, ii, no. 179.
187 *ibid.*, ii, nos. 174-79.
188 *ibid.*, ii, no. 176.

by the accounts rendered to the exchequer which included Inverness in 1424-5, and then again after 1428.[189] Elgin accounted for its fermes and customs from 1428 and Forres from 1430, and this may provide an indication of the spread of royal administration.[190] The inquest on 11 April 1431 into the extent of John Rose's estates of Kilravock and Easter Geddes in Nairnshire, which were held from the Earls of Ross, shows the King exercising his rights in the area.[191] Rose's lands, like those of Hugh Fraser, were reduced in value from their peace-time assessment of £23 6s 8d to £16, suggesting either increased service or a degree of damage from raiding. However, as a result of the inquest the lands were "in the hands of the King ... as the ward of the Earl of Ross, because he (Rose) did not have a confirmation of the lord King from the death of the Earl of Ross who died in France ... six years since". This verdict clearly shows James claiming Ross by succession to Buchan in 1424. It also shows that the King felt sufficiently secure to insist on his feudal rights from Ross. Given the uncertain status of Ross between 1424 and 1430, John Rose's lack of confirmed title to his lands is understandable, and knowledge of royal intentions could explain Cawdor and Fraser's rush for confirmation in the previous year. The immediate insistence on his rights is typical of James, and it is possible that the inquest was part of a general survey of the position acquired by the crown in the north. A week after the inquest concerning John Rose, which took place at Nairn, charters were issued in the same burgh by John Hay of Lochloy.[192] These resigned his lands in Nairnshire, which were held from the Earls of Ross and Moray, in favour of his son, William. These acts were witnessed by Fraser of Lovat, sheriff of Inverness,

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189 *E.R.*, iv, 380, 461, 497, 552, 576.
190 *ibid.*, iv, 480, 534, 624.
191 *Family of Rose*, 127.
192 *R.M.S.*, ii, nos. 193-194.

Donald of Cawdor, sheriff of Nairn and John Nairn, now sheriff of Elgin, the main royal officials in the area. All of these men had been on the earlier assize with Hay, and this may show that the meeting was still in progress. The King confirmed Hay's charters on 28 April, and the whole inquiry into royal rights was probably designed to exploit the advance of James' authority to increase the lands and resources at his disposal in the north.

There is no evidence that the Earl of Mar was actively involved in the administration of Moray and the vicinity. Instead he was more concerned with creating a network of political links for the conquest of Lochaber and, as lord or steward of the area, he may have granted out estates in return for military support. The captain of Clan Chattan, Malcolm MacKintosh, who had backed Mar in 1429, received, or was confirmed in, estates in Glen Spean and Glenroy.[193] As Alastair carrach reportedly held Lochaber east of the Lochy, Glen Spean and Mamore it seems likely that his lands were occupied by the MacKintoshes after 1429.[194] In the 1440s Malcolm MacKintosh was granted lands by the Lord of the Isles in Glen Spean and Glenroy and the office of steward of Lochaber which had been held by Alastair.[195] This suggests that in 1430 and 1431 MacKintosh had been able to supplant the MacDonalds in Lochaber, perhaps following the forfeiture of Alastair carrach. It is also possible that Seton of Gordon received lands of the lordship in Lochaber, as he is referred to as holding lands of Alexander of the Isles in the *History of the MacDonalds*.[196]

Mar may also have established links with families and groups who had submitted to royal authority in the aftermath of the 1429

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193 *H.P.*, i, 44.
194 *ibid.*, i, 32, 40.
195 Munro, *Lord of the Isles*, nos. 42, 47.
196 *H.P.*, i, 44.

campaign. The position of Ewen Cameron of Locheil, who had defected from Alexander's forces in the face of the royal army, is especially interesting. Cameron was named among Mar's supporters in 1431 and his lands were situated directly to the west of Lochaber.[197] His involvement would, therefore, have been important to the earl's prospects. It is also possible that Lachlan MacLean of Duart had transferred his support from the lordship. If Lochaber fell to Mar, MacLean's lands on Mull would have been exposed to royal attack. He was however the only Isles landowner to defect to Mar. *The History of the MacDonalds* names him as one of the vassals who opposed the lord in 1431, and his family had a history of contact with the crown.[198] It is also significant that his wife, Janet Stewart has been identified as the daughter of the Earl of Mar. This marriage could have occurred between 1429 and 1431 and would have linked MacLean to the government attack on the lordship.[199]

Following these political preparations, Mar assembled a force for the assault on Lochaber. *The History of the MacDonalds*, although not completely trustworthy, gives the fullest account of the invasion. According to this source, Alexander, earl of Mar "did levy a great army by the King's directions, viz. Huntley, Allan Lord Caithness, Fraser of Lovat, MacKintosh, MacKay of Strathnavern, the Grants, the Chief of the Camerons".[200] In this list, Huntly is clearly Seton of Gordon and Lord Caithness is the newly-created earl of the same. However, with the exception of MacKay, who was clearly still in violent opposition to the crown and occupied elsewhere, the men named in the account are plausible as Mar's supporters. Bower confirms that the Earl of Caithness was at Inverlochy, and Fraser and

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197 *H.P.*, i, 40.
198 *H.P.*, i, 46; *C.P.R.* (1405-1408), 363; *R.M.S.*, ii, no. 403.
199 Munro, *Lord of the Isles*, App. C, 275; *S.P.*, v, 589.
200 *H.P.*, i, 39-40.

Gordon were with Mar in 1429.[201] The links of MacKintosh and Cameron with Mar have already been discussed and, as neighbours of both Mar and MacKintosh, the Grants were quite probably present in the earl's army. Such a force, raised from Mar's Aberdeenshire affinity, the Moray coast, Badenoch and the west, could have been on a huge scale, especially as Fraser reportedly led a force of 3000 men himself.

The involvement of the King in this expedition was indirect. Mar had raised the army and in attacking Lochaber was pursuing private ambitions as much as royal policy. The distractions of domestic policy made any fresh personal intervention by the King impossible and, as in 1430, he left the north in the hands of his lieutenant. The army in the north can only have been assembled after April 1431 as Fraser of Lovat and many other Moray landowners were involved in the inquest at Nairn during that month.[202] It was, therefore, probably in midsummer that Mar's army moved into Lochaber. The presence of this force may have caused fresh defections from the lordship. According to the *History of the MacDonalds*, the leaders of the army

> enticed the rest of MacDonald's vassals, by making them great promises to join with them, and that the rights they formerly held of MacDonald would be confirmed to them by the King. The vassals and freeholders looking upon MacDonald's power as altogether gone and ruined, and believing they would never more see them installed in their possessions, thro' greed and covetousness joined the King's party.[203]

The effect of this is unclear, but the desertion of the lordship by MacKintosh, Cameron and MacLean, the absence of the lord and the presence of a large army must have put severe pressure on the

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201 *Scotichronicon*, XVI, Ch. 17, l. 1-10.
202 *Family of Rose*, 127; *R.M.S.*, ii, nos. 193-94.
203 *H.P.*, i, 40.

lordship. The limited number of lords who joined the attack on Mar in the autumn may be an indication of the doubts felt about the venture within the Isles as well as on the mainland.

History of the MacDonald reports that the army "pitched their tents near the castle of Inverlochy", the political centre of Lochaber.[204] As there is no report of any siege, it seems likely that the castle was in Mar's hands during this time and was possibly being used as a base by the royal forces. From Inverlochy, Mar sent Hugh Fraser of Lovat with a force of, reportedly, 3000 men, "to harrass the country of Sunart and Ardnamurchan ... for provision for the army and camp".[205] This may indicate that the size of Mar's expedition required the dispatch of numerous foraging raids which dispersed his troops and aroused hostility among the neighbouring landowners. Both of these factors may have contributed to the eventual defeat of the earl by an army raised from the lordship by Donald balloch.

It may also be significant that, unlike 1429 and 1430, only one royal army was sent against the lordship. This allowed the remaining supporters of Alexander of the Isles to concentrate against Mar at Inverlochy. These 'rebels' were mobilised by Donald of Dunvaig and the Glens of Antrim from all over the lordship. According to *The History of the MacDonalds*, Donald was accompanied by his brother, Ranald bain, who subsequently received lands in Kintyre for his services in the rebellion. He also gained the support of a number of minor families from the southern Hebrides, the MacLeans of Coll, the MacDuffies of Colonsay, the MacQuarries of Ulva and the MacKays of the Rhinns of Islay.[206] The MacKays and MacDuffies were possibly connected via the lands of Donald on Islay, while the support of two

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204 *ibid.*
205 *ibid.*
206 *ibid.*

families from the west of Mull may also have resulted from personal links. That these kin-groups were on the extremities of the Isles may also account for their hostility to the crown's attack on the lordship. The only mainland leaders who joined Donald balloch were John MacIain of Ardnamurchan and "Allan, son to Allan of Muidart". While this latter has not been identified it seems likely that he was a son of Allan Ranaldson lord of Garmoran, whose chief castle was at Tioram in Moidart. Allan also held the lands of Morar, Arisaig, Knoydart and Sunart and was thus a neighbour of MacIain. These men may have been stung into revolt as a consequence of the raiding of their lands by Fraser of Lovat rather than any long-term plan, and the whole rebellion is suggestive of desperation. The absence of major kin-groups like the MacLeods, MacNeills and the main brances of the MacLeans may indicate that the latter were already in contact with Mar or the King, as the MacDonald account suggests. Donald was essentially acting with the support of Clan Donald and a few minor families in the hope of joining with his cousin, Alastair carrach, in Lochaber.

It is just possible that the limited size of Donald's force was an advantage, allowing him to join his mainland allies without opposition. The meeting of Donald with MacIain and Allan of Moidart took place on the island of Carra near the mouth of Loch Sunart in the latter's lands. In September, with the combined force, Donald rounded Morvern into Loch Linnhe and landed at 'Invershippinish', two miles south of Inverlochy.[207] From there they were able to launch a co-ordinated attack with Alastair carrach, who had maintained a force of men in the hills above Inverlochy. it seems unlikely that this was a coincidence, and Donald's appearance in Lochaber may have been the result of earlier contact with Alastair. The MacDonald army was

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207 Possibly at the mouth of the river Kiachnish.

reckoned at 820 and was clearly outnumbered by their opponents.[208] The small size of Donald's force, the fact that they attacked from the hills and sea, and the possibility that Mar's army was dispersed for forage may have allowed the Islemen to launch a surprise attack. Such an attack may have inspired the story about Mar and MacKintosh being caught playing cards when their army was routed, and the refusal of Gordon to take part in the fight may reflect that his troops were not able to intervene. If Mar was caught off-guard, this would explain how his army was defeated and dispersed with considerable losses. According to the MacDonald account, Caithness, a son of Fraser of Lovat and 990 men were killed, while Bower states that Donald "killed the said Sir Alan (Caithness) ... along with sixteen men at arms of his household retinue and many others".[209] Mar himself only escaped with difficulty after being wounded.[210]

Donald left Lochaber for either the Isles or, more probably, Ireland.[211] This suggests that despite his victory Donald was unsure of his position. He was possibly worried about a royal counter-attack, and it seems unlikely that the effects of the battle were readily apparent. The fact that it was the last royal offensive into the lordship was largely determined by circumstances elsewhere.

The first of these circumstances was the failure, almost simultaneously, of the attempt to further disrupt the MacKays of Strathnaver. As with the attack on Thomas MacKay, the effort was led by Angus Moray of Culbin and his sons-in-law, Neil and Morgan MacKay.[212] Angus dubh MacKay, the head of the kindred, had been a consistent supporter of the lordship of the Isles since at least

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208 *H.P.*, i, 40; *Scotichronicon*, XVI, Ch. 17, l. 6-7.
209 *H.P.*, i, 41; *Scotichronicon*, XVI, Ch. 17, l. 7-8.
210 *H.P.*, i, 42.
211 *Scotichronicon*, XVI, Ch. 17, l. 10.
212 *Scotichronicon*, XVI, Ch. 17, l. 11-18; R. Gordon, *Genealogical History of the Earldom of Sutherland*, 65-66; *MacKay Book*, 59-61.

1415, and his removal was probably guaranteed royal support and the promise of his forfeited estates for Moray. The royal-backed forces eventually brought Angus dubh to battle deep in his own territory of Strathnaver, near Ben Loyal at Drum nan Coup. Bower reports this clash as evidence of highland ferocity, but it probably came to his attention as another defeat for the local agents of the crown. In the battle both Moray and MacKay of Strathnaver were killed, but the royal inspired army was defeated and any possibility of neutralising the MacKays was removed.

These two battle occurred in September 1431, and news of them must have reached the south before 15 October, when parliament re-assembled.[213] As will be discussed, this parliament represented a major crisis of James' reign. His relations with Douglas had resulted in the earl's arrest and his demands on the political community were antagonising the estates. Coupled with this, the news of the military setbacks in the north, and especially Caithness' death, must have had a strong effect on the meeting of parliament. Despite these pressures James' initial response was to demand financial backing from the estates "for the resisting of the King's rebels in the north land".[214] However, the terms under which the tax for the expedition was granted suggests that James had had to fight hard to receive the "costage", and the full consent reported in the parliamentary records probably conceals a lengthy debate on the issue on 16 October, the second day of the assembly. The King extended parliament until Monday 22 October, which may indicate that, due to

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213 *A.P.S.*, ii, 20. The date of these battle is indicated by the *Extracta*, which says that the clash between Moray and MacKay occurred in September 1431 and the *Scotichronicon*, which says that the two fights occurred at about the same time (*Extracta*, 233; *Scotichronicon*, XVI, Ch. 17, l. 11).
214 *ibid.*, ii, 20, c. 1.

the debate, the planned business of the meeting had not been completed.[215]

It may also be a sign that the King did not want the parliament to end on an acrimonious note, and it seems likely that during the intervening five days James became aware of the need to reach a settlement with the Lord of the Isles as part of a wider agreement. As there is no indication of the tax being levied or of a subsequent expedition, it seems likely that this settlement ended royal ambitions on the Lordship.[216] The basis of the agreement was the release of Alexander of the Isles by the King. Alexander may have been brought to Perth in the period after the debate on the tax and was formally forgiven by James. Given the volatile nature of the situation in the lordship, this must be seen as a calculated risk. As the March 1430 parliament had pointed out, the release of Alexander created the risk of renewed conflict within the kingdom.[217] The King can only have been prepared to set his enemy at liberty if he had assured himself as far as possible about the security of his new lands and allies gained at the expense of the lordship.[218] The nature and success of this settlement can only be determined by examining events in the north after the release of Alexander. These suggest that the King was able to maintain some of the gains he had made between 1429 and 1431 in the aftermath of the settlement.

Firstly, James seems to have been able to increase the importance of the crown in relations between the Lord of the Isles and his vassals. That this was part of the agreement which accompanied Alexander's release is suggested by the royal

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215 *ibid.*
216 Duncan, *James I*, 17.
217 W. Croft-Dickinson, "The Acts of Parliament at Perth 6 March 1429-30", in *S.H.R.*, xxix (1950), 11.
218 *Scotichronicon*, XVI, Ch. 16, l. 73-75. Though Mary Leslie was retained, as a hostage for her son's behaviour, until 1433 (*ibid.*, XVI, Ch. 20, l. 3-5).

confirmation of grants made by Donald of the Isles to the MacLeans of Duart. This charter was issued on 30 October 1431 at Perth, and it is possible that both Lachlan MacLean and the Lord of the Isles were present.[219] If MacLean was most at risk from such a threat in 1431-2, similar safeguards may have been provided by the King and Alexander to men like Cameron and MacKintosh. That these men escaped retribution until after the King's death, according to the *History of the MacDonalds*, suggests James' protection held good after 1431.[220]

The royal charter to MacLean may also represent Alexander's acceptance of the King's increased authority. James' confirmation was itself ratified only after the forfeiture of the Lord of the Isles in 1493, and this may indicate that the ability of the crown to interfere in dealings between the lord and his vassals was only briefly exercised. This may be supported by the copy of a charter of Alexander of the Isles to Torquil MacLeod of Lewis, reputedly dated January 1433.[221] As the only act of Alexander between 1431 and 1436 it is clearly of importance in gauging the position of the lord. It is therefore significant that according to this grant MacLeod of Lewis "resigned his lands into the King's hands in favour of the Lord of the Isles", who then re-granted them to Torquil. The inclusion of the King in this process may indicate a similar confirmation of MacLeod to that issued to MacLean, and together, they suggest that the interference of the crown in the Isles had been forced on Alexander as part of the terms of the release.

The grant to MacLeod was made at Finlaggan on Islay and, although an isolated example, it may show that Alexander was concentrating on his island interests. An inquest of 11 February 1432 again dealing with Rose's lands in Nairn, held from the Earl of

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219 *R.M.S.*, ii, no. 2264.
220 *H.P.*, i, 46.
221 Munro, *Lords of the Isles*, no. 22.

Ross, shows that the King was still in possession of the title.[222] The presence on the inquest of Hugh Ross of Balnagown, an ally of the lordship and a major landowner in Ross, may indicate that royal control of the earldom had gained acceptance. Alexander was clearly not restored to the area after his release, and it may have been his renunciation of his rights to Ross which encouraged his local supporters to co-operate with James' administration. The situation in Kintyre and Lochaber is less clear, but it seems unlikely that the King or his agents successfully maintained themselves for long in either area.

The presence of Moray landowners like Fraser of Lovat and Cawdor at Perth when the committee of the estates met there in May 1432 could provide further evidence of continued royal administration in the area.[223] The worries of these men about the future political structure of the north may also have led to their attendance. It seems likely that the exercise of royal authority in Moray, Ross and Badenoch was considered by the King in the winter of 1431-2. The presence of Alexander, earl of Mar, at court in January, late March and at the meeting in May, presumably indicates his inclusion in these discussions.[224] From 1432 the King did not travel beyond the Mounth until 1436 and probably took a conscious decision to hand over the administration of the north to Mar. The earl was still acting as royal lieutenant in February 1432, and his presence at an inquest concerning crown lands, which was actually held by Fraser of Lovat, may be an indication that Mar had assumed full vice-regal powers.[225] The attendance of Moray landowners at the May 1432 parliament could

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222 *Family of Rose*, 128.
223 S.R.O., GD 16/3/140.
224 *A.B. Coll.*, 555; *R.M.S.*, ii, 199-200; *Family of Rose*, 130. This last charter was the royal confirmation of the verdict of the February inquest.
225 *Family of Rose*, 128.

be connected to the extension of the earl's authority to cover these lands. Mar's new powers probably derived from his marriage to Margaret Seton, widow of James Dunbar, for which papal consent was granted on 26 January 1432.[226] Margaret was the daughter of Seton of Gordon and was also the dowager Countess of Moray, and her marriage to Mar may have been accompanied by the earl receiving custody of the earldom of Moray on behalf of his step-daughters.

The settlement arrived at in October 1431, which formed the political structure of northern Scotland until 1435, was therefore once again based on the balance between Mar and the Lord of the Isles. As before 1424, however, Mar enjoyed the full support of the central government and, as a result of the royal intervention in the area between 1428 and 1431, his opponent was cowed and his own political and landed strength was much greater than at any previous point. The royal victories of 1428 and 1429, and to some extent the pressure placed on the lordship in 1430 and 1431, had clearly improved the position of the government and its supporters in the north. During Mar's lifetime the impact of these successes was probably sufficient to keep the lordship and its allies quiescent. To this extent James' attacks on the Lord of the Isles were a success in increasing royal authority in the north.

However the main beneficiary of James' efforts was Mar rather than the crown, and by 1432 the stability of the north was completely bound up with the earl and his affinity. Given Mar's age and the death of Thomas Stewart, this solution was to prove effective only in the short-term, and James' reliance on it in 1432 must be seen as an indication of his failure to achieve a more secure government for the north. This failure was essentially a result of his inability to provide a long-term answer to the problem of the lordship. The

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226 *C.S.S.R.*, iii, 209.

Inverness parliament and the response of Alexander to it convinced the King of the limited value of trying to bring the lord to heel and between 1429 and 1431 he embarked on the much more ambitious policy of dismantling the lordship. However, despite a series of military and political successes, James lacked the resources to achieve his aim and was forced to compromise and return to a situation like the aftermath of his initial attack. Alexander was freed on his promise of good behaviour and obedience to the crown, and while these were initially effective the settlement hardly constituted a political breakthrough.

The collapse of James' offensive against the lordship in the face of one defeat reveals the essential weakness of his position, especially in comparison with the perseverance of the remaining leaders of Clan Donald. This weakness can be traced to the consistent opposition to the King's policies from within the lowland political community. The reluctance of some to serve on or finance the royal expeditions against the lordship between 1428 and 1431 and the build up of domestic political pressures on the King during this period were to frustrate royal aims in the north and west and force the compromise of October 1431.

6 THE PRICE OF ROYAL GOVERNMENT (1428-1431)

i. The General Council of July 1428

The ability of the King to gain the support necessary to extend his authority in the north and west depended on his good relations with the lowland political community. However, James seems to have encountered opposition throughout this period despite his successes in the attack on the lordship and in other fields. This opposition was ultimately to halt the King's ambitions in the west and must have added to general tensions between James and his subjects. The origins of this dissent and the King's reaction to it dominated the political situation in the lowlands between 1428 and 1431. It was possibly a product of James' personal authority that the most significant displays of opposition occurred at meetings of the estates where there was safety in numbers. As these meetings were the locations for major royal demands for financial or military support, parliaments and general councils were the natural arena for resistance to the King and criticisms of his policy.

The difficulties experienced by James at meetings of the estates after 1428 can hardly have been a surprise to him. In the first four years of his active reign the King called parliament annually.[1] James' motive in calling these assemblies was principally to secure grants of taxation to meet the yearly instalments of 10,000 marks due as payment of his ransom.[2] As the King had determined to use his landed and customs revenue for his own needs he had to seek the consent of parliament for these sums. As Professor Duncan has shown, much of the legislation of James' early parliaments was centred

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1 These parliaments were called in May 1424, March 1425, March 1426 and July 1427 (*A.P.S.*, ii, 3, 7, 9, 13).
2 *Rot. Scot.*, ii, 239-40.

around taxation and the groups responsible for its payment.[3] The acts on shire attendance and the numerous statutes dealing with burgh organisation may all have been connected with attempts to levy the tax more effectively.[4] The attempt to increase the numbers of lesser landowners at parliament by fining absentees, as enacted at the 1426 parliament, was probably aimed at securing wider consent for the grants of taxation. However, evidence from later in the century suggests that the political community attended parliaments which had been called to discuss taxation in greater numbers than other meetings of the estates, and a larger assembly was not necessarily in the King's interests.[5] Similarly, in 1427, James reversed his earlier statutes granting concessions to burgh craftsmen, probably due to pressure from the richer burgesses and merchants. The King was heavily dependent on this latter group for payment and delivery of the tax and was clearly anxious to maintain their support.[6]

The amount of legislation aimed at raising taxation suggests that James was having to work hard to extract money from his subjects. This view is confirmed by the evidence of Bower, one of the auditors for the levy, that only the 1424 tax of a twentieth produced the desired result.[7] The 'honeymoon' relationship between King and parliament did not last, and in 1425 and 1427 it seems that James' requests for taxation were refused.[8] As the burghs were responsible for over 8000 of the 9500 marks paid to the English it seems likely that the nobility and clergy withheld payment and were

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3 Duncan, *James I*, 4-14.
4 *A.P.S.*, ii, 9, c. 8; 8, c. 17, 10, c. 11; 10, c. 17.
5 *ibid.*, ii, 9, c. 8; Nicholson, *The Later Middle Ages*, 423-24; N.A.T. Macdougall, *James IV* (Edinburgh, 1989), 170-72.
6 Duncan, *James I*, 10.
7 *Scotichronicon*, XVI, Ch. 9, l. 20-22. Bower reports that 14,000 marks were raised in 1424 and "unbelievably less" in the next year.
8 The evidence for a tax in 1425 is contradictory but the 1426 yield was apparently the second levied (I. O'Brien, 'The Scottish Parliament in the Fifteenth and Sixteenth Centuries' (unpublished Ph.D. thesis, University of Glasgow, 1980), Appendix E).

involved in opposing the taxation in parliament.[9] In both 1424 and 1426 reference was made to punishments for non-payment of the yield, indicating James' appreciation of this problem.[10] However, as we have seen, the March 1425 parliament may have been the scene for more widespread criticism of royal policy, possibly combining attacks on James' relations with the lordship and his attempt to raise a new tax. These criticisms may have precipitated James' arrest of Duke Murdac but, on both issues raised, the King was forced to back down. Although there is no indication of political unrest at the July 1427 meeting, the King's probable request for taxation was again ignored. Throughout the early part of the year James had promised a payment of 10,000 marks to the English and negotiated a second exchange of hostages.[11] Although the exchange took place, no payment was delivered, probably because the King had been refused a grant of taxation by the estates.

Thus, by 1428, the King was used to experiencing opposition from his chief subjects in parliament and, although he had passed legislation which extended the judicial and financial rights of the crown, these laws could not disguise the setbacks he received over raising the ransom. Similarly the King's use of parliament as a forum for establishing links with his magnates, as in 1426 when his discussions with the Mar Stewarts occurred during the meeting, was not without risks as James' abortive links with the lordship in 1425 make clear.[12] It is, however, interesting to contrast the problems James experienced in raising his ransom with the apparent political success of the King in his conflict with the Albany Stewarts and in

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9 *E.R.*, iv, cxxxii.
10 *A.P.S.*, ii, 6, c. 27; I. O'Brien, 'The Scottish Parliament in the Fifteenth and Sixteenth Centuries' (unpublished Ph.D. thesis, University of Glasgow, 1980), Appendix E.
11 *P.P.C.*, iii, 259-65.
12 *A.P.S.*, ii, 8, c. 25; *A.B.Ill.*, iv, 389; Fraser, *Grant*, iii, no. 24.

establishing his authority relative to the most important magnates. By late 1427, this contrast between the King's relations with Mar, Atholl and Douglas and his continued dependence on parliament must have been a frustrating reminder that James had not fully escaped the restraints on his position which had existed in 1424.

The first indications of a change in royal policy concerning the ransom occurred in 1428 and were probably connected with the King's frustration at the 1427 parliament and the realisation that he could never assemble the remaining payments by taxation. In March 1428, the King called a meeting of the estates, probably to deal with business raised at the previous parliament.[13] The most striking legislation was issued on the subject of the attendance by lesser landowners at parliament.[14] Instead of appearing in person, as specified in 1426, these men were to elect commissioners to attend, who would, in turn, elect a speaker. This act may have parallelled developments in burgh representation and could have been aimed at reducing dissent while, at the same time, rendering these minor landowners responsible for parliamentary decisions.[15] This would suggest a further attempt to improve James' chances of raising taxation. If this was the case, however, the timing of the act seems strange. There were no new demands for taxation in 1428 and, possibly linked to this, James called a general council rather than a parliament in March and July of that year. As the general council could be called at short notice, this may imply that the King was less concerned with securing a large attendance as he was not seeking to levy a tax.

By March 1428, therefore, the King may already have been looking for an alternative to payment of the ransom. The possibility of a

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13 *A.P.S.*, ii, 15.
14 *ibid.*, ii, 15, c. 2.
15 Duncan, *James I*, 12-13.

French alliance may have been considered well before the summer, as the speed of negotiations in July suggest prior contact. The honours given in 1427-8 by Charles VII of France to his chief Scottish supporter, John Stewart of Darnley, suggest that the French were actively promoting the Franco-Scottish link before the embassy, which included Darnley, was dispatched.[16] If James was aware of a possible treaty with France he obscured it from the English. Henry VI's government was expecting an instalment of 10,000 marks from the Scots as late as July 1428 when the Franco-Scottish alliance was being renewed. As James' agent, Thomas Roulle, had gone to Flanders via England, the King may have kept his options open on this subject, making new promises about the delivery of the tax assembled in the Low Countries.[17] However, the success of Franco-Scottish negotiations made the payment unnecessary in James' eyes and allowed the ransom to be diverted into other fields. The idea that the King was considering a major change in royal policy from the winter of 1427-8 is supported by his increased hostility towards the Lord of the Isles, which was apparent from early in the latter year. Final evidence of this timing is provided by the heavy expenditure already begun on Linlithgow prior to April 1428. Over £600 were paid for the building in the accounts for 1427-8, initiating the ambitious reconstruction of the palace in the remainder of the reign.[18] Such a plan makes more sense as the first indication of the King's decision to spend heavily on private items, which followed his withholding of the ransom.

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16 Darnley was made Count of Evreux in January 1427 and allowed to include the French lilies in his arms in February 1428 (Beaucourt, *Histoire de Charles VII*, ii, 395-96).
17 *C.D.S.*, iv, nos. 1017-18; *Rot. Scot.*, ii, 262.
18 *E.R.*, iv, 449-50.

The King only revealed his plans to the estates in a general council which met at Perth on 17 July 1428.[19] The purpose of this council was to issue letters concerning the renewal of the Franco-Scottish alliance, which was to include a marriage settlement between the Dauphin and James' eldest daughter, Margaret, as well as further Scottish military aid to Charles VII.[20] These issues had presumably been negotiated in the meetings between the King and the French embassy which had taken place since the beginning of July.[21] Knowledge of these discussions may have been widespread and the alliance was probably anticipated by those attending the council. It may have been a shock, however, that, following the renewal of the alliance, James announced his plans to bring the Lord of the Isles under closer royal authority by leading an expedition to Inverness.

It was this latter decision which apparently excited opposition in the council as has been mentioned in the previous chapter. According to one source, James was forced to override considerable hostility to his plan to go north.[22] Given the earlier criticism of his links with the lordship and the apparent benefits of royal intervention beyond the Mounth for the local community, this opposition seems surprising. It may have arisen as a result of the cost of the expedition. The King clearly asked the burghs to contribute in men or supplies and, after his return, was dissatisfied with the failure of Aberdeen, North Berwick, Haddington and Montrose to fulfil their obligations.[23] The reluctance of these burghs to play their part in the Inverness expedition may be linked to the opposition to James' plan in the 1428 council. While Aberdeen may be

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19 *A.P.S.*, ii, 17, 28.
20 Archives Nationales, J 678, nos. 21-26.
21 Barbé, *Margaret of Scotland and the Dauphin Louis*, 17-19; *E.R.*, iv, 435.
22 *Copiale*, 48-49.
23 *E.R.*, iv, 488-90, 550, 586.

a special case, the other burghs and especially the East Lothian towns may have resented being asked to contribute to an essentially northern venture. The council appears to have been widely attended and there may have been a general feeling amongst burghs and landowners from Southern Scotland that the issue was of limited interest to them.[24] That James seems to have been accompanied at Inverness by northerners, like Atholl, Hay of Errol and Patrick Ogilvy, or by members of the royal household, such as Crichton and William Giffard, may indicate that any wider demands for personal service on the expedition aimed at southern magnates were rejected. If this was the case, the debate in parliament may mark the beginning of a divergence between the King's increasing preoccupation with the north and the Western Isles, and the interests of his southern subjects, which was to reappear in 1430 and 1431.

The financial aspect of the criticism of the Inverness expedition may tie it in to the changes in the King's position following the French alliance. It seems likely that James' acceptance of the alliance was motivated by a desire to avoid paying the ransom. The link with France provided a lever in future negotiations with England and made it natural for the King to retain the ransom money already in his hands. While the traditional Franco-Scottish bond and the specific connections between certain families in Scotland and the French crown would suggest that the new alliance was popular, there may have been misgivings about this aspect of the King's new diplomatic position. However, these may have been balanced by the knowledge that no fresh demands for taxation would occur in the near future. The King's possession of the unpaid ransom instalments must have undermined his position in seeking for aid for

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24 Archives Nationales, J 678, no. 24.

his journey to Inverness, and contributed to the hostile reception he received from the council.

It would be consistent with the behaviour of the estates in the opening years of the reign if the opposition to the Inverness expedition was centred around financial issues. There is no evidence that the hostages were a major source of grievance at this point. As the King was to negotiate an exchange in 1432, there was probably no expectation that those who remained would be abandoned in 1428 and it can only have been at the end of the reign, when James was at war with England, that the subject became important.[25] However, the large amounts of ready cash in the hands of royal agents and no longer being used for the ransom were, alongside the French alliance and the Inverness expedition, a third new element of James' position after July 1428. The scale of these resources and their use by the King must have had an effect on the political community, especially between 1428 and 1431 when the money was largely spent. The money raised from the burghs alone amounted to 20,000 marks, of which 11,600 remained for the King's use.[26] A significant proportion of this was spent in Flanders, while the rest was returned for James' own expenses.

This addition to royal funds was used to finance what has been described as a "spending spree".[27] However, the use of the money was not entirely trivial. The diversion of the customs of Linlithgow into the reconstruction of the palace there was presumably facilitated by the King's enjoyment of the ransom money. Between 1427-8 and 1434 over £600 were spent on Linlithgow each year and the palace appears increasingly as a royal residence from 1428 onwards.[28]

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25 *Foedera*, x, 521-22.
26 *E.R.*, iv, cxxxii, cxlvi, 672-83.
27 Duncan, *James I*, 14.
28 *E.R.*, iv, 435, 449-50, 485-86, 513, 529-30, 553-56, 613; *Melrose Liber*, ii, no. 534; Fraser, *Douglas*, iii, no. 393.

The development of a new, unfortified palace must have had the effect of increasing the prestige of the King and emphasising his status relative to his major subjects.[29] This political value can also be placed, to some degree, on James' expenditure on jewels and clothing and, later in the reign, on shipbuilding and the construction of a royal residence at Leith.[30] Most significantly, from 1429 onwards the King spent heavily on the creation of a royal artillery train. In 1430, nearly £600 was spent on the construction of "bombards, engines and other instruments of war", and James bought an "*immanem fundam bombardicum*", a great bombard, named 'Lion' from Flanders in the same year.[31] Although James' interest in artillery may have been partly a consequence of his 1429 campaign in the highlands, when his guns were certainly employed, his expenditure was also connected with the growth of royal prestige. James I established a pattern of royal spending on buildings, ships, personal attire and guns, which was followed by his successors on the throne. After eighteen years of exile at the court of the English kings and in France, and four years bargaining for taxation from the estates, James was well aware of what to purchase to enhance his prestige and keen to give a visible display of the authority of his position at the head of an up-to-date court, equipped with the latest military hardware.

The attitude of the Scottish ruling classes to this programme of spending is not clear. A King whose status in Europe was increasingly recognised after the French alliance, and who presided over a well turned out court in a modern palace, may have been appreciated by his subjects. However, if the estates were hoping to avoid future royal financial exactions once the ransom payments had ceased, the speed and scale of James' spending between 1428 and 1431

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29 *R.C.A.H.M.S.*, Mid and West Lothian (Edinburgh, 1929), 219-31.
30 *E.R.*, iv, 432, 558, 575, 578, 626, 666, 679-80.
31 *ibid.*, iv, 627; *Scotichronicon*, XVI, Ch. 16, l 58-63.

must have been a shock. In addition there are indications that in one final area of royal expenditure, the King was prepared to use his authority to gain his ends, even in the teeth of opposition from his subjects.

The foundation of a Carthusian priory just to the south of Perth was the other area of major royal interest. As with the development of Linlithgow, the Charterhouse was a matter of importance to James before he possessed the financial resources to begin work. The King received permission for the foundation in August 1426, which suggests he had applied to the Carthusian order in the opening two years of the reign.[32] However, Bower dated the foundation as 1429, and this is supported by a royal charter of March 1429 granting rights and privileges in and around Perth.[33] The significance of this charter is suggested by the impressive list of witnesses to the document.[34] Despite some contradictory evidence of a later foundation date, this would indicate that work on the priory got underway at the same time as James' expenditure on Linlithgow and artillery began in earnest.[35] The Charterhouse was also a matter of royal prestige and James' desire to follow western European trends must account for the nature of his foundation. In the fifty years before James' reign, Carthusian priories had been founded by Philip, duke of Burgundy and by Richard II and Henry V of England.[36] These two English foundations, at Mountgrace in Yorkshire and Sheen in Surrey, both influenced James. Some of the personnel of Mountgrace evidently transferred to Perth, while the links of his wife and her Beaufort

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32 S.R.O., GD 79/2/1.
33 *Scotichronicon*, XVI, Ch. 18, l. 3-6; *R.M.S.*, iii, no. 1928.
34 These included the Bishops of Glasgow, St. Andrews and Brechin, the Abbots of Kelso and Melrose and the Earls of Atholl, Douglas, Angus and March.
35 For these alternative dates of foundation and a full account of the Priory see W.N.M. Beckett, "The Perth Charterhouse Before 1500" in *Analecta Cartusiana*, no. 128 (1988), i-74.
36 *ibid.*, 1-2; R. Vaughan, *Philip the Bold* (London, 1962), 202-204.

kin with Sheen probably led to James' decision to found a Charterhouse. Thus, like the 4th earl of Douglas, who began preparations to found a Carthusian house in 1419, the King was aware that this act was in line with the practices of the most powerful rulers of north-western Europe.[37]

From 1429 to the end of the reign payments were made to the Carthusians from the customs and from the money raised for the ransom. These sums were frequently paid to the Cistercian, John of Bute, who was responsible for the construction of the priory.[38] However, at the same time, James was also seeking to endow the house with lands and ecclesiastical rights and, in pursuing this goal, he seems to have been prepared to exercise pressure on his subjects. The best example of this process is in connection with the church of Errol, about eight miles from Perth. In December 1429 the King granted the church to the Perth Charterhouse on the death or resignation of the future rector and in return for the monks making provision for a vicar.[39] In the following June Bishop Wardlaw received papal confirmation of the grant which had been made "with the express consent of James, King of Scots, true patron of the parish church of Errol".[40] The King's assertion of his rights as patron ignored the claims of the Abbey of Coupar Angus which had received a grant of the church in the early fourteenth century from the Hays of Errol.[41] It is clear from later events that both the Abbey and William Hay of Errol resented this diversion of patronage to the Charterhouse and that James employed threats to force their acceptance of it. Coupar Angus resigned its rights to Errol "at the instance of our lord, James ... King of Scots" in February 1435.

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37 *C.S.S.R.*, i, 68.
38 *E.R.*, iv, 458, 488, 508, 563-4, 584, 613, 621, 632, 640, 678.
39 *R.M.S.*, ii, no. 137.
40 *C.S.S.R.*, iii, 108, 113.
41 *Coupar Angus Chrs*, i, no. cxiii.

This five year delay may be evidence of resistance to royal demands; indeed, in 1474, there was still a dispute between the Charterhouse and Coupar Angus over the position of Errol, which shows the depth of feeling in the abbey.[42] Similarly in 1446 Gilbert Hay of Errol began proceedings to recover his family's rights of patronage to the church of Errol "unjustly alienated and detained from him". According to Hay, his grandfather "made the said donation ... forced by fear of the illustrious prince ... James King of Scots lately dead".[43] As William Hay was dead by mid-1436, it is possible that his resignation coincided with that of Coupar Angus.[44] It also provides a clear example of the King's dangerously aggressive approach to his nobility, even on this small scale.

In the light of the King's behaviour with regard to Errol, the series of grants made by other benefactors to the Charterhouse may also have resulted from royal coercion. James was certainly involved in the purchase of lands from Alan Thomson, burgess of Perth, and other grants from burgesses of Perth and Dundee and from the Abbot of Scone may have been inspired by royal pressure.[45] It is less likely that direct involvement by the King led to the grant of lands in the barony of Sprouston by Archibald, earl of Douglas in early 1434.[46] At some point before 1439 the earl also granted the Charterhouse the church of St Mary in the Forest and, together, these gifts may suggest a genuine desire to patronise an order which the earl's father had been keen to support.[47] Following the events of 1431, when Douglas was in conflict with the King, his generosity to the Carthusians may also have been designed to win royal favour.

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42 *ibid.*, ii, nos. cxxxi, cxliii.
43 *A.B.Ill.*, ii, 340-41.
44 *S.P.*, iii, 562-63.
45 S.R.O., GD 79/6/6; GD 79/2/3-5.
46 *H.M.C.*, xiv, 24, no. 47; Fraser, *Douglas*, iii, no. 396.
47 *C.S.S.R.*, iv, no. 591.

However, the treatment of two existing religious foundations in Perth cannot be seen in this light. The pensions paid to the hospitals of St. Leonard and St. Mary Magdalene from the customs of Perth were both assigned to the Carthusians.[48] It seems likely that James also planned to suppress the two hospitals and transfer their revenues to his foundation, and this occurred, either late in the reign or just after the King's death.[49] The fact that the Prioress of St. Leonard's Hospital was Elizabeth Dunbar, the jilted wife of James' brother, Rothesay, and sister of the Earl of March, may have given the King's action a greater significance. The attitude of March to his sister's loss of her pension in 1428 is not clear, but he may have harboured doubts about royal ambitions when he witnessed the royal charter to the Carthusians in 1429.

James' attempts to secure income and lands for his foundation would seem to have made it a wealthy house.[50] However, by 1439, the foundation appears to have been in financial difficulties. Both the Queen and the Earl of Douglas referred to problems, the earl reporting that the Charterhouse "has not sufficient faculties to support the burdens incumbent on the prior and convent".[51] As a result, the Queen and Douglas made additional grants to the house. However, their support of the house may not have been widely shared, and in 1442 James' daughter, Margaret, referred to the monks' difficulties "on account of the wars and tumults" since the King's death.[52] In this situation, the methods employed by James to support the priory may have led to the house being regarded with hostility by those who had suffered due to royal exactions.

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48 *E.R.*, iv, 458, 488, 523, 549, 584, 632.
49 S.R.O., GD 79/2/6; W.N.M. Beckett, "The Perth Charterhouse", in *Analecta Cartusiana*, no. 128 (1988), 15.
50 The King was probably responsible for the monks' possession of Glendochart in 1450 (*E.R.*, iv, 584).
51 *H.M.C.*, iv, 513; *C.S.S.R.*, iv, no. 591.
52 *C.S.S.R.*, iv, no. 852.

While the King's sharp practices in his dealings over the Charterhouse may have antagonised a section of the political community, the general attitude of the nobility to James' use of the ransom was not a check on the King, and the lack of any demands for taxation between 1428 and 1431 probably meant reduced tension in parliament. However, given the opposition to James, intervention in the north, the continuation of trouble in that area would seem a likely source of conflict between the King and his southern subjects. The King's embarrassment over the death of John mor and his readiness to reach agreement with Alexander of the Isles following the murder may indicate royal worries about lowland opinion. Renewed rebellion in the north resulting in the destruction of Inverness, and possible links between the lordship and James the fat, may have had a sufficient impact in the kingdom to guarantee the King the backing of his subjects. In this apparent emergency at least four earls took part in the King's campaign against the lordship in July and August 1429. Douglas, Angus, Crawford and Mar were present with James at Inverness over a month after the King's victory in Lochaber.[53] These men and four barons from Lothian, Crichton, Hepburn, Haliburton, and Borthwick, who were also present, were presumably accompanied by their personal followings, suggesting strong southern support for the King in the expedition. The success of the campaign would also seem to indicate that the army was of sufficient size and effectiveness to achieve the King's aims.

Evidence from the parliament of March 1430 slightly qualifies this impression of widespread support for the King's attack on the forces of the Lord of the Isles. A statute of this parliament ordered the punishment "of the Kyngis legis that warnyt war and schargyt to pas with hyme in the northt cuntre ... and bade at hame

53 *R.M.S.*, ii, no. 127.

withowtyne the Kyngis leife".[54] The King's summons was therefore not universally obeyed. However, James was especially incensed by those who "tuk payment and held it (at) thar awne oyse and made na serwys tharfor". This indicates that at least part of James' force was paid to appear in the royal army. The willingness of the earls and Lothian barons to remain so long in the north with James was almost certainly linked to the fact that they were being paid for their services. No regular hosting would have stayed in the field for over a month. No tax had been raised in 1428 and 1429, and it seems likely that the King financed the expedition out of his own funds. The possession of the ransom money gave James the resources to raise an army consisting of paid retinues. Although no evidence of these payments exists in the exchequer accounts, the success of the expedition may have been directly due to the way in which the force was raised. The desertions from the army, although an obvious source of annoyance for the King at the parliament of March 1430, clearly did not affect the outcome of the campaign in the previous summer.

The victory of the King in Lochaber and the public humiliation of his opponent, Alexander of the Isles, in the submission ceremony at Holyrood, must have raised James' prestige within Scotland.[55] The support he had received from the Earls of Douglas, Angus, Mar and Crawford, even if it was purchased, was a display of the authority of the King over his most powerful subjects. In addition to this, in late 1429, James still possessed considerable financial resources in the form of ransom money. Alongside these domestic advantages James had also increased the status of the Scottish crown in international terms since 1428. The plans for a marriage alliance between his daughter and the Dauphin lay at the heart of this new importance.

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54 W.C. Dickinson, "The Acts of the Parliament at Perth, 6 March 1429/30" in *S.H.R.*, xxix (1950), 1-12, 9.
55 *Scotichronicon*, XVI, Ch. 16, l. 27-33.

Compared with the marriages of the Royal Stewarts since 1371, the French connection was a clear sign of the King's widening horizons and ambitions. By severing his apparent dependence on England, the King may also have increased his standing at home, and the willingness of the English government to placate James gives the impression of the King being courted by his two powerful neighbours. The prestigious embassy which was led to Scotland by James' uncle by marriage, Cardinal Henry Beaufort, displayed this significance.[56] The King clearly rejected any English proposals concerning the ransom or a renewal of the truce, which was to expire in May 1431, and he continued this policy into 1430. The King's handling of foreign and domestic affairs impressed the English officials who visited Scotland. One of the most frequent English envoys, John, lord Scrope of Masham, reported that "the King of Scottis in now at hoom in his land a fel, a ferseyng man and having greet experience in ... greetly purveid and ordeyned therefore myghty of poeple".[57] This verdict, given sometime in early 1430, probably reflects the King's successes of the previous year and supports the view that, by late 1429, James appeared to have established the power and authority of the crown beyond question.

This impression may, however, have been misleading. The insecurity which coloured the King's policy in the mid-1420s had not evaporated. This was especially linked to his failure to produce a male heir in the first six years of the reign. However, as Queen Joan had given birth to at least two, and possibly four, daughters before 1430, the prospects for the succession were hardly desperate.[58] The lack of a son meant, though, that James the fat remained a potent threat as the King's closest male kinsman until his

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56 *P.P.C.*, iii, 328-29.
57 *ibid.*, iv, 73-75.
58 *S.P.*, i, 18-19.

death in early 1429. The Albany Stewart claimant may be linked to the legislation of July 1428 which required newly elected bishops and the heirs of "earls, barons and vassals holding of the lord King" to take an oath to the Queen.[59] This increased Joan's political importance and gave her a claim to be obeyed in the event of the King's death. As the statute was issued at the same time as the King was embarking on his French alliance and his Inverness expedition, it may have been designed to deal with the dangers of James' new position. His worries about the effects of the alliance with France on the succession were presumably because the marriage of his eldest daughter to the Dauphin, when it took place, could encourage French claims on Scotland if James failed to produce a male heir. To counter this, the King included a clause in his treaty with France which bound Charles VII to accept and uphold the verdict of the estates regarding the Scottish succession.[60] However, that no designated heir existed must have undermined James' authority to some extent, and may have been in the minds of his close kin amongst the higher nobility.

The King's anxieties about events after his death were probably linked to fears about his own fate. In February 1430, the King applied to the Pope for absolution on the point of death, "as often as he believes himself in danger of death".[61] This supplication was extended in October of the same year when James stated that "he happens to be, or believes himself to be, in danger of death through defence of his country or otherwise".[62] These requests could have been sought in connection with the King's involvement in highland campaigning, but it seems strange that no supplication was issued

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59 *A.P.S.*, ii, 17.
60 Barbé, *Margaret of Scotland and the Dauphin Louis*, 28-29.
61 *C.S.S.R.*, ii, 77.
62 *ibid.*, ii, 144.

prior to the 1429 expedition, which was after all the major clash between James and Alexander of the Isles. The requests suggest vague fears rather than a specific source of danger and were renewed with the new Pope, Eugenius IV, in 1432-3.[63] It is plausible to see the supplications for absolution as being sent by a King who, despite his successes in establishing his authority, had not achieved total security within Scotland even after his defeat of the Lord of the Isles and his diplomatic breakthrough. They also provide an interesting perspective on the events of 1437 when James' fears were proved to be justified.

The contrast which this affords with his English reputation at the same time is not accidental. The change in the King's activities initiated at the general council of July 1428 had brought him short-term successes in the north, immediate international stature and access to ready cash. However, in embarking on these schemes James was ignoring the fundamental weaknesses in his position and areas of tension with his main subjects. In late 1429 these tensions were beginning to build up with the man who had hoped for most from royal government but who, by the sixth year of the reign, must have been intensely disappointed, Archibald, earl of Douglas.

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63 *ibid.*, ii, 237; iii, 5.

ii. The King and the Kennedies

During the five months between the King's return from his defeat of the Lord of the Isles in August 1429, and January 1430, the royal council seems to have been the focus of political activity. James appears to have been well-attended by his leading magnates and other landowners not normally recorded at court. This may be an accident of surivival or due to more comprehensive records being kept of witnesses to royal charters, but it is more likely that the presence of a number of earls and barons with the King reflects that important issues were being discussed at court.

The nature of these discussions is not readily apparent in isolation but the importance of the participants is. Out of the twelve charters granted by the King between 20 August 1429 and 8 January 1430, Walter, earl of Atholl, appears as a witness five times and on an additional occasion has one of his charters confirmed.[64] In the same period, Archibald, earl of Douglas, has an identical record of attendance, while William, earl of Orkney witnesses four royal charters, and the Earls of Angus and Mar appear twice and once respectively.[65] This represents a concentration of the upper nobility at court unparallelled during the reign. Of the earls in attendance, Douglas, Angus and Mar had all been with the King at Inverness in late July and were clearly anxious to remain in contact with James on their return.[66]

That five out of the eight earls then in Scotland should have been at court for part of this period could possibly be linked to the new importance of royal policy. The increased financial and landed resources of the crown, harnessed to the King's new and ambitious

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64 *R.M.S.*, ii, nos. 128, 129, 130, 136, 138, 140.
65 *ibid.*, ii, nos. 128-43.
66 *ibid.*, ii, no. 127.

attitude to the highlands and to the international position of Scotland, made it more important for the magnates that they were in contact with their sovereign. As James probably expected his earls to participate actively in his policies, either in the north or on the marches, the interests of these men in influencing the King on such issues became more sharply defined. The experiences of the higher nobility between 1424 and 1429 had shown the readiness and ability of the King to interfere in the localities, and the appearance of the earls at court in late 1429 reflects the desire to prevent such interference but retain a say in the direction of royal ambitions.

In relation to this, the presence of Atholl, Angus and Orkney at court is wholly understandable. While Angus had a clear interest in Anglo-Scottish relations, and Atholl was increasingly linked to the attack on the lordship, these three earls were consistently in contact with the King. All three had their local importance increased by the King and were politically associated with James from 1424 to the end of the reign.[67] Mar was only concerned with central politics in relation to his position in the north. He met the King and Angus, Douglas and Orkney at Perth in early October, almost certainly to discuss the situation in the highlands and islands.[68] Mar held similar meetings with James in March and May 1430 before campaigning was renewed.[69] The position of Archibald, earl of Douglas, is less clear. He was only in regular contact with the King during late 1429 and, following the events of early 1426, the earl had only been allowed a local role on the middle and west marches.

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67 Atholl and Angus' positions will be dealt with elsewhere. Orkney was appointed as pantler of the King and admiral of the fleet escorting Princess Margaret to France (*Scotichronicon*, XVI, Ch. 12, l. 2-3).
68 *R.M.S.*, ii, no. 134.
69 *ibid.*, no. 152; *A.P.S.*, ii, 28.

Given the ambitions and influence of the Black Douglas family in 1424, this experience must have been frustrating, despite the status the earl was accorded as the King's nephew on his appearances on royal documents between 1425 and 1429. If the earl had been with his uncle for over a month on campaign, this personal contact may have encouraged Douglas to involve himself in royal government. This would be especially the case if the earl was already harbouring doubts about the King's preoccupation with the north.

The events of the summer of 1431 suggest that the presence of Douglas at court, and the manouverings which took place there in late 1429, were connected, in part at least, with growing tensions in Carrick. As the earldom of Carrick in southern Ayrshire was adjacent to the areas of Douglas influence and was part of the principality created for James in 1404, it was naturally a sensitive location for both the King and the earl.[70] Between late August 1429 and early January 1430, five charters were issued by James concerning lands in Carrick and a number of landowners from the area were present at court.[71] This preoccupation with the earldom may be evidence that local problems existed in the reign which threatened the maintenance of royal authority over part of the Stewart lands.

This problem within the earldom of Carrick was caused by a dispute within the Kennedy family. The Kennedies were the main local kin-group with the lands of the senior family centred at Dunure, just to the south of Ayr. The family of Kennedy of Dunure possessed the title of head of the kindred in conjunction with the office of bailie of Carrick.[72] This gave them the right to lead the 'army of the earldom' and made them the effective rulers of Carrick as royal deputies. However, in 1429 the Kennedies of Dunure were still

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70 *H.M.C.*, Mar and Kellie, i, 7.
71 *R.M.S.*, ii, nos. 128, 129, 138, 140, 142.
72 *ibid.*, ii, nos. 378, 379, 412-16.

suffering from the consequences of the political upheavals in the area after 1406, when the main Stewart line was removed from the south-west. The head of the Kennedy family, Gilbert, had established close links with Robert III between 1404 and 1406, when the King was entrenching his position in Ayrshire.[73] This alliance was based on the match in 1405 between Gilbert's chosen heir and the eldest son of his second marriage, James Kennedy, and Mary, countess of Angus, Robert III's daughter.[74] Gilbert resigned his position as head of the kin and bailie of Carrick to James at the same time. This committment to Robert III led to conflict with Albany and, possibly connected with this conflict, to the murder of James Kennedy by his half-brother.[75] The death of his heir probably forced Gilbert to come to terms with Albany in 1408, receiving confirmation of his rights, and the rights of his grandsons by James, to the family's estates in return for offering service to Duke Robert in place of the Earl of Carrick.[76]

Although this secured the position of Gilbert and his chosen heirs, the family was still faced with problems. Gilbert was probably in his late sixties and his grandsons, John, Gilbert and James had only been born between 1405 and 1408. At the same time, the elder Gilbert had three sons by his discredited first marriage and five by his second wife. Before 1415, it seems likely that the eldest surviving son of the second marriage, Alexander Kennedy of Ardstinchar, had been made tutor for Gilbert's heir, John Kennedy. As Alexander was next adult in succession to the lands of the family according to an entail of 1404, he was the natural choice for the office.[77] However, Pitcairn's *History of the Kennedies* from about

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73 *ibid.*, ii, nos. 378-80.
74 *ibid.*, i, app. ii, nos. 1952, 1953.
75 R. Pitcairn, *History of the Kennedies*, 81.
76 *H.M.C.*, v, 614; S.R.O., GD 25/1/31.
77 *R.M.S.*, ii, no. 378.

1600 names him as the youngest son and has Alexander "start up, and drawing his sword, said, "I am best and worthiest, I wilbe tutour!"[78] This may indicate that Alexander seized control of the offices and lands of his father before the latter was dead. That in 1415 Alexander headed the witnesses to a grant to Fergus Kennedy of Buchmonyn, a Kennedy cadet, suggests he was acting as head of the kin by that year.[79] Similarly the safe-conduct Alexander and Fergus Kennedy received to go to England in 1421 suggests that the former was still the tutor of his nephew and that he was seeking the backing of the exiled King for his position.[80]

If Alexander's authority was connected with the acceptance of Albany's influence in Carrick, it is significant that, according to Pitcairn, he was on bad terms with the Douglas earl of Wigtown, "ane werry gritt manne".[81] This may be part of the trouble in Ayrshire in 1408-9 which necessitated the Albany-Douglas bond.[82] Archibald, the future earl of Wigtown and 5th earl of Douglas, was specifically mentioned in this bond and it is possible that he was the opponent of Alexander named in the Pitcairn story. The Douglases possessed lands in Cunningham and Carrick which were granted to John, earl of Buchan, as part of the marriage alliance ending the Albany-Douglas feud.[83] These estates and the role of the Earls of Douglas as protector of Melrose abbey, which also had lands and rights in Carrick, probably provided the reasons for Black Douglas interest in the earldom. Despite his loss of Galloway, it is also likely that the 5th earl retained these interests in 1429.[84]

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78 R. Pitcairn, *History of the Kennedies*, 5.
79 *H.M.C.*, v, 614.
80 *Rot. Scot.*, ii, 230.
81 R. Pitcairn, *History of the Kennedies*, 5 (though this story is dated 1380).
82 Fraser, *Douglas*, iii, 369-71.
83 *R.M.S.*, i, nos. 945, 946, 947.
84 *C.S.S.R.*, i, 106.

The situation in the Kennedy family during the 1420s is unclear. According to Pitcairn, Alexander was killed by his brothers for wishing to disinherit his nephews and for putting himself "abuiff his friends".[85] These motives may be connected with Alexander's trip to England, and it seems likely that he was dead before the end of 1423. At that point, John Kennedy was called "of Carrick" indicating that he was still the nominal head of the family.[86] However, as he was designated as a hostage for the King in the treaty of London, the lands and offices of the Kennedies of Dunure were probably still in the hands of a tutor.[87] The King's return must have seemed likely to change this situation. James I released John from his obligations as a hostage, perhaps because he was not in full possession of his estates, but, as with the Earl of Angus, also because he was the King's nephew. This royal favour extended to John's youngest brother, James Kennedy, who received a pension in 1428 and 1429 and whose ecclesiastical career was furthered in late 1429 by his appointment as a canon of Glasgow.[88]

Despite this evidence of the King's support for his Kennedy nephews there is no sign that he significantly altered the situation in southern Ayrshire. The paternal uncles of John Kennedy of Carrick were clearly important in the area in 1429 and were probably still controlling the lands and offices of the family. After 1431 there is proof that the uncles were still in control of Carrick, and it seems likely that no major upheavals occurred in the area during the first five years of James' reign.[89] Indeed, despite being a royal earldom, Carrick does not feature among James' concerns. The Kennedies were not involved closely in the events of 1424-5, unlike the King's

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85 R. Pitcairn, *History of the Kennedies*, 6.
86 *C.D.S.*, iv, no. 942.
87 *Rot. Scot.*, ii, 241-2.
88 *E.R.*, iv, 440, 468; *C.S.S.R.*, iii, 59.
89 *E.R.*, iv, 594-95.

vassals in northern Ayrshire, and there is no indication that the family participated in royal politics subsequently. By 1429, it is likely that the fifth son of Gilbert Kennedy's second marriage, Thomas of Kirkoswald, was acting as tutor for his nephew and as bailie of Carrick. Thomas held the office of bailie in the 1430s and was at the centre of events in 1429. In that year, Thomas' two surviving elder brothers were committed elsewhere. Hugh was serving as a mercenary captain for Charles VII in France and, although he may have returned to Scotland in 1429, he was not interested in remaining there.[90] John Kennedy of Blairquhan, the next brother, was, by contrast, in England as a hostage from 1427 to 1432.[91] If this John was acting as tutor in 1427, his removal could have had political overtones, perhaps indicating the King's intervention in the area. Given the absence of these men it is probable that Thomas Kennedy was in control of both the bailiary of Carrick and the main estates of the family.

However, if this was the case, Thomas' position in 1429 was insecure. His nephew, John, was in his twenties and was probably pressing for his rights in the Dunure lands and as head of the kin and bailie of Carrick. It was, perhaps, John's efforts to gain these in late 1429 that focussed attention on the south-west. It is possible that trouble had already occurred in southern Ayrshire during the King's absence in the north or that a crisis was brewing. It seems likely that the presence at court of Thomas Kennedy and two of his brothers, Hugh and David, on 20 and 24 August, was connected with such a situation.[92] The charters they received from the King provide the first indication that James had returned to Edinburgh

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90 W. Forbes-Leith, *Scots Men at Arms in France*, i, 36, 41, 43, 45, 47-8.
91 *C.D.S.*, iv, no. 1010.
92 *R.M.S.*, ii, nos. 128-9.

from Inverness; that the King was in contact with the Kennedies before the surrender of Alexander of the Isles suggests that the meeting took place soon after James' entry into the city. This may indicate the urgency of the situation in the south-west. Preparations for the submission of the Lord of the Isles could also explain the presence of the Earls of Atholl, Douglas and Orkney as witnesses of the King's grants to Thomas and David Kennedy. However, the fact that the earls were in attendance must have increased the political significance of the grants.

The charter granted on 20 August 1429 followed the resignation of his main lands of Ardstinchar in Carrick by Hugh Kennedy to the King. Hugh had probably received these lands after the death of Alexander Kennedy, who also held them.[93] King James then granted Ardstinchar out to Thomas and confirmed him in his lands of Kirkoswald and Brigend in the earldom. Four days later, Thomas' lands of Kirkmichael, which he had resigned, were granted by the King to David Kennedy and, in the same charter, David was confirmed in his existing lands. Hugh's presence in Scotland may be connected with the military situation in France, where he had been involved in the fighting at Orléans.[94] The King's attitude to the Anglo-French conflict may have encouraged Hugh to return to Scotland for recruits or as an ambassador from Charles VII. In addition, if there was a situation of tension in Carrick, Hugh's resignation in favour of Thomas may have been a gesture of political support. Similarly,

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93 Alexander appears as lord of Ardstincher in 1415 (*H.M.C.*, v, 614).

94 Hugh Kennedy was probably at the battle of Rouvray in February 1429, when Stewart of Darnley was killed. Hugh survived to campaign with Joan of Arc and may have been sent to Scotland with news of Charles VII's coronation in July. He was employed as a French ambassador to James in 1435 and may have had a similar role in 1429 (W. Forbes-Leith, *Scots Men at Arms in France*, 43-48; Beaucourt, *Histoire de Charles VII*, ii, 491-504; R. Pitcairn, *History of the Kennedies*, 4).

Thomas' resignation to David was probably designed to tighten links between the two brothers. The King's confirmation of their existing estates and of the territorial re-adjustment in Carrick suggests royal involvement in this apparent strengthening of the positions of Thomas and David. There is, however, no indication in these grants that Thomas was acting as tutor of his nephew or as bailie of Carrick. It is possible that the King was not prepared to confirm Thomas' local authority while John Kennedy was pressing his own claims.

The location of John Kennedy during the autumn of 1429 is not clear. However, from the witness lists of royal charters at the end of the year and the business undertaken by the King and his council, the course of the dispute can be established. The charters on 20 and 24 August to the Kennedy uncles were followed on 30 August by a grant witnessed by the Earls of Douglas, Atholl and Angus, probably still present in connection with the ceremony at Holyrood two days earlier.[95] At the end of September the King confirmed a charter of his sister, the Duchess of Touraine, in the presence of her vassal, Douglas of Lesswalt.[96] This possibly indicates concern with south-western politics and the involvement of the Black Douglases in the question of Carrick. On 6 November, two landowners from Carrick, William Edmonstone and Fergus Kennedy of Buchmonyn, were on the King's council, and on 13 and 16 December, James made two grants of land in the earldom, the second to Thomas Kennedy.[97] Finally on 8 January 1430 two royal charters were issued linking Archibald, earl of Douglas, with Carrick.[98] The steady sequence of charters which

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95 *R.M.S.*, ii, nos. 128-30.
96 *ibid.*, ii, no. 133.
97 *ibid.*, ii, nos. 135, 138, 140.
98 *ibid.*, ii, nos. 142, 143.

can be connected with the Kennedy dispute during this period is evidence of the importance accorded to the issue in central politics.

The interests of the south-western men at court, also shows the nature of the dispute. This is most obvious in the case of Fergus Kennedy of Buchmonyn. He was a vassal and agent of the Kennedies of Dunure and had been involved since 1405 in the political manouvering of the family. In that year he witnessed the grant of the bailary of Carrick and chieftainship of the kin to James Kennedy, and his links with Alexander of Ardstinchar in 1415 and 1421 have already been stated.[99] In the 1420s, Fergus continued to act as a local official in the Stewart lands in Ayrshire. In 1426 he was commissioned by the King to carry out repairs on the royal castle of Dundonald and, two year later, Kennedy of Buchmonyn received £30 by reason of his indenture with King James.[100] Although there are no indications in the 1420s of the royal administration of Carrick, it is quite likely that Fergus was keeper of Loch Doon castle in the east of the earldom, prior to the 1434 account of royal lands.[101] The King's employment of Fergus who, before 1424 and after 1431, was associated with successive Kennedy tutors, may be evidence of parallel links between James and Thomas of Kirkoswald before 1429. In this light, Fergus' appearance at court in November 1429 indicates, at the least, that he was safeguarding his local position and possibly that he was working in alliance with the uncles of John Kennedy.

Political motives could also explain the presence of William Edmonstone of Culloden as a witness to the same royal charter as Fergus Kennedy. Edmonstone had benefitted greatly from James' patronage since 1424. Before that date he appears as a minor adherent of the Black Douglases in connection with the Lothian and

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99 *ibid.*, ii, no. 379.
100 *E.R.*, iv, 401, 452.
101 *ibid.*, iv, 596.

Roxburghshire branches of his family.[102] The change in his position after 1424 seems to have been the result of his marriage to Princess Mary Stewart, whose third husband, William Graham, had died in that year at such an inopportune moment for his Lennox allies. It seems likely that Edmonstone married Mary before 1429 and that the King granted his new brother-in-law the lands of Duntreath and others in the Lennox, which were to form the basis of his family's holdings, as a result of the match.[103] Also due to the marriage, Edmonstone came to possess the lands held by Mary as the widow of James Kennedy, her second husband. These included at least £6 worth of lands in Carrick.[104] In 1429, therefore, William Edmonstone possessed an interest in the politics of southern Ayrshire, both as a local landowner and as the step-father of John Kennedy. This link may have made him sympathetic towards John's claims. If Fergus Kennedy was acting for Thomas of Kirkoswald, the attendance of both Fergus and William at court in early November could have been as representatives of the two rivals for local influence in Ayrshire.[105] It is also possible that William was accompanied by Mary Stewart, his wife and John Kennedy's mother.

Another of James' sisters, Margaret, duchess of Touraine, may also have been concerned with the situation in Carrick. A month earlier, in late September, the King confirmed a charter of the duchess to the Collegiate Church of Lincluden near Dumfries.[106] This charter had been granted at Margaret's castle of Threave a week earlier and provided for prayers to be said for the souls of the duchess and her royal and Black Douglas relatives. The King's confirmation of the charter was witnessed by William Douglas of

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102 *R.M.S.*, ii, nos. 13, 70.
103 *E.R.*, iv, 589.
104 *ibid.*, iv, 596.
105 *R.M.S.*, ii, no. 135.
106 *ibid.* ii, no. 133.

Lesswalt, who also attended the original grant. As, like Fergus Kennedy and William Edmonstone, this is his only recorded appearance on James' council, Lesswalt may have had a specific reason for being in Edinburgh. He had presumably brought the duchess' charter for confirmation, but as his lands and those of Margaret lay directly to the south of Carrick, he may also have been concerned in this issue. If a violent dispute was underway, the duchess and her vassals would have been anxious to prevent it spilling over into Wigtownshire and to distance themselves from it politically. However, it is possible that there was a marriage alliance between Andrew Agnew, the duchess' esquire, and a sister of John Kennedy which, if true, may indicate the backing of Margaret for John.[107] Given the 1426 dispute between Agnew and Lesswalt, though, it is unlikely that the latter would be a supporter of any increase in his local rival's importance and, therefore, the confirmation of a charter commemorating the links between the King and the Black Douglas family may have been combined with an indication to James of his sister's good behaviour.

The involvement of these interested local parties at the centre suggests an anxiety to win royal support for their claims. The re-appearance of Thomas Kennedy of Kirkoswald at court on 16 December 1429 may show that, by this date, the King had decided on a course of action to resolve the dispute.[108] Thomas was granted the lands of Kilkenzie in Carrick, which had previously been resigned by Thomas Adamson. Three days earlier, the King had made a similar grant to Edward MacQuarrie of the lands of 'Knockinshoch' in Carrick.[109] MacQuarrie's descendants were connected with the heirs of Thomas Kennedy and his elder brother, John, and this link may have been in

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107 Agnew, *Hereditary Sheriffs of Galloway*, i, 244-45.
108 *R.M.S.*, ii, no. 140.
109 *ibid.*, ii, no. 138.

effect in 1429.[110] These charters may have been compensation for the ending of Thomas' control of the Kennedy of Dunure lands as tutor for his nephew. No indication about the timing of John Kennedy's assumption of authority exists. He was being referred to as Kennedy of Carrick in 1424 and as Kennedy of Dunure and Cassilis in the entail for his uncles' lands in August 1429, but this shows his title to, rather than his actual possession of, the holdings of his father and grandfather.[111]

However, a document of 1465 refers to John Kennedy being vest and seised in the lands of Kirkintilloch at the time of his forfeiture.[112] As we shall see, this presumably took place in 1431 and, although it only concerned the Dunbartonshire lands of the family, this source is probably evidence that John was formally granted the full lands of his father. The date at which Thomas' rights as tutor ended is, therefore, not clear, but it is possible that the apparent crisis in the south-west in late 1429 was linked in some way to the assumption of control in his lands by John Kennedy of Dunure.

By this date, John's right to these lands was unchallengeable. The positions of bailie of Carrick and head of the kin were, however, not necessarily passed to John at the same time. The bailie was the King's officer in Carrick and it is likely that Thomas Kennedy retained this position. King James favoured Thomas with grants of land in Carrick both in December 1429 and August 1430, when the latter received Troweir.[113] These charters would seem to be indications of royal support for Thomas, rather than John, at an early stage in the dispute between the two, and would also suggest

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110 *ibid.*, ii, nos. 1010, 1366, 1367.
111 *ibid.*, ii, nos. 128, 129; *C.D.S.*, iv, no. 942.
112 N.L.S., Ch. no. 16632.
113 *R.M.S.*, ii, no. 162.

that Thomas was bailie throughout the period. Considering James' links with his other nephews and the indications of his sympathy for his Kennedy nephews between 1424 and 1428, his support of Thomas seems strange. However, if John was pressing for his rights in Carrick during 1429, this may have been a source of annoyance for the King. The continued hostility of Donald balloch was centred on Antrim and Kintyre and was dangerous enough to encourage the King to launch an expedition against the latter area in 1430. In conjunction with this, any instability in Carrick, opposite Kintyre on the Firth of Clyde, must have worried James and weakened his ability to use his Ayrshire resources against Donald. It may be a reflection of this situation that Cunningham and Montgomery, rather than any of the Kennedies, were employed in Kintyre in 1430.

Therefore, James' solution may well have been to divide local influence in Carrick between Thomas and John Kennedy. In that Thomas seems to have had the backing of the leaders of the Kennedy kindred and John was well-supported by influential relatives outside Carrick, the King's compromise was practical. However, such a division of power in a locality was not a basis for long-term stability, and tension between John and his uncles was hardly likely to be reduced by the settlement.

In attempting to bring any trouble in Carrick under control the King may have been motivated by more than just local concerns about his earldom. The involvement of a number of earls in the royal council at this point, though connected with other issues, may have had a bearing on the Kennedy dispute. William, earl of Angus, John Kennedy's half-brother, did not witness the grants to Thomas and Hugh Kennedy in August 1429, though he was at court under a week later. However, Angus was becoming increasingly involved in south and south-eastern Scotland as a result of the King's backing and he was

probably anxious to avoid putting this backing in jeopardy by committing himself to John Kennedy. This attitude may have brought the earl rewards in early 1430. Unlike Angus and Douglas, the Earls of Atholl and Orkney were without ties of interest to the area of southern Ayrshire or to local families. Their presence at court was, therefore, linked to other areas of royal policy. However, it may be significant that Atholl was the only earl present in mid-Decemeber when the King granted lands from the earldom of Carrick to Thomas Kennedy and Edward MacQuarrie.[114] His involvement in the royal grants to these men could conceivably be an indication that Earl Walter shared the King's readiness to work with Thomas and his local supporters.

Any connection between Atholl and Thomas Kennedy can only have been based on indirect interests linked to the earl's ambitions as regards the royal council and his influence in Perthshire and the north. If the Earl of Douglas was perceived as a threat to these ambitions, then Atholl could have been ready to aid potential opponents of Douglas. The dispute in Carrick was clearly of importance to Douglas. His possible involvement in the area in 1408-9 and the concerns of his mother about her position in relation to the dispute, have already been mentioned. If Douglas had been associated with James Kennedy of Dunure against Albany and had opposed James' brother, Alexander, after the indenture with the duke, it is possible that, in 1429, the Earl of Douglas was sympathetic towards John Kennedy. Personal contact between the earl and his cousin is suggested by their appearance in the same warrant for a safe-conduct in February 1424.[115] In terms of Douglas' position since 1426, the events in Carrick may have appeared as an opportunity

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114 *ibid.*, ii, nos. 138, 140.
115 *C.D.S.*, iv, no. 942.

to extend his influence beyond the limits which the King had placed on it. The possibility of John Kennedy as an ally in southern Ayrshire, restored with the help of Douglas' influence with the King following the earl's involvement in the northern campaign, may have been a natural goal for Douglas. This participation in the dispute would also tie him to the Kennedies in advance of his arrest with John Kennedy in 1431.

The involvement of Douglas in this affair is borne out by King's confirmation of charters concerning the earl after his compensation of Thomas Kennedy. Between early October and January 1429-30, Douglas had been absent from the council, possibly at Bothwell.[116] On 8 January, however, he was at Edinburgh with the King when James confirmed the earl's agreement with Michael Ramsay concerning the keeping of Lochmaben castle and the lordship of Annandale.[117] Ramsay was a Douglas adherent who clearly enjoyed royal trust, as he had been responsible for James' daughters in 1428 and was probably given custody of the King's son in early 1431.[118] The ratification of Ramsay's position may have been connected with border tensions, but for James to confirm the offices of a man in the confidence of both the King and the earl may have been, partly, to diffuse any bad feelings between the two. On the same day, James confirmed the rights of Melrose Abbey in Carrick.[119] These included the lands of Mauchline, Barmoor and Cairntable. This grant was issued to the King's confessor and Abbot of Melrose, John Fogo, and was witnessed by Douglas. The presence of the earl shows continued Black Douglas interest in the abbey, and may indicate an administrative role in Melrose's lands. If Thomas Kennedy had retained the office of bailie

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116 The earl was at Bothwell in late November 1429 (*Glas. Reg.*, ii, no. 335).
117 *R.M.S.*, ii, no. 143.
118 *E.R.*, iv, 473, 529.
119 *R.M.S.*, ii, no. 142.

of Carrick in the face of opposition from the Earl of Douglas, the latter may have sought the royal charter to safeguard Melrose's lands from the hostility of the local royal offices.

The strains on the relationship between the King and Douglas, which were increasingly evident from early 1430, suggest that the dispute over Carrick in 1429 was the source of this mutual mistrust. Despite his disappointments prior to 1429, the earl seems to have been ready to co-operate with his uncle, but following his meeting with the King in January 1430, Douglas appears to be increasingly at odds with James.

iii. Douglas on the Marches

The meeting of the King with Douglas on 8 January 1430 may have had a significance apart from the dispute in Carrick. It was probably also concerned with the situation on the marches. During late 1429 the King had shown himself to be still determined to avoid renewing the truce which expired in early 1431. Despite a meeting of commissioners, led on the Scottish side by the Earl of March and Douglas of Balvenie, which occurred in July 1429, by the end of the year relations between the English government and James had been reduced to an exchange of acrimonious letters.[120] The King's diplomatic aims in 1430 meant that he was prepared to use stalling tactics against English ambassadors. James was clearly not prepared to discuss renewing the ransom payments as part of a new truce. The money which remained in royal hands was rapidly being paid out for royal needs during 1429 and 1430 and a new round of taxation was politically unthinkable. The resistance of the estates to taxation in 1424-1427 would be redoubled in the event of fresh royal demands. In May 1430 James also revealed to the English ambassadors that he "was not disposed to accept a truce general by land and sea".[121] The King was not prepared to renew the truce on terms which jeopardised his alliance with France and his obligation to provide 6,000 men to Charles VII. James' aims were based on the defence of the financial and diplomatic freedom of action whcih he had enjoyed since July 1428. However, in late 1429 the English were still anxious to prevent a war with Scotland, following their setbacks in France during the year, and, in early 1430, they planned to send an embassy,

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120 *P.P.C.*, iv, pp. 19-27, 346-50; *C.D.S.*, iv, 404.
121 *P.P.C.*, iv, pp. 73-75.

led by the Bishop of Durham and the two march wardens, Northumberland and Salisbury, to renew negotiations.[122]

In pursuit of these foreign aims, the King seems to have decided to maintain diplomatic pressure on England, despite the risk of war breaking out. At the same time he was anxious to take advantage of his success against Alexander of the Isles in 1429 and launch a new attack against the lordship. James' concern to provide for the defence of the marches and to fulfil his highland ambitions seems to have been the major consideration of the King and his subjects in the opening months of 1430. As has been mentioned, the business of the March 1430 parliament was largely centred on these two issues and the balance between them. The number of statutes which related to northern affairs and the judicial business of the meeting give a clear impression that this subject was already foremost in the King's mind.[123] However, the parliament also enacted, "for the profit and the governance of the realme", a major piece of legislation entitled the "Item on the Marches".[124] This collection of statutes was, as its title suggests, concerned with the Anglo-Scottish border. While it includes general instructions on the arms, equipment and behaviour of the host probably borrowed from earlier parliaments, the "Item on the Marches" probably had a specific purpose in 1430.[125] The statutes are chiefly concerned with the organisation of the marches for defence and this emphasis on local military practice is underlined by the absence of any reference to the King as an active leader on the border. Military authority is held instead by the

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122 *Rot. Scot.*, ii, 268-69.
123 For evidence of this, see *R.M.S.*, ii, nos. 147-49; *A.P.S.*, ii, 19, c. 17; W.C. Dickinson, "The Acts of the Parliament at Perth, 6 March 1429/30" in *S.H.R.*, vol xxix (1950), 9-11.
124 I. O'Brien, "The Scottish Parliament in the Fifteenth and Sixteenth Centuries" (unpublished Ph.D. thesis, University of Glasgow, 1980), Appendix I.
125 *ibid.*, c. 1, 5, 6, 12.

wardens of the marches.[126] In the circumstances of 1430, this is a good indication that James was delegating responsibility for the defence of the border to the wardens while he concentrated on the attack on the lordship.

The absence of the Earl of March from the parliament may show that the King was already insisting on the presence of one of his wardens on the border.[127] It is possible that, as early as January 1430, James appreciated the need for strong local leadership on the marches in the situation of increased Anglo-Scottish tension. If the wardens were to be responsible for the defence of the border without active royal support, James may have recognised the need to alter the existing situation in the marches. It is likely that Douglas had controlled the west and middle marches from 1424 and that March was warden of the east march over the same period.[128] Up to 1430, Douglas and March were the two earls principally involved in negotiations on the border, and in July 1429 they had headed the initial list of commissioners for the talks with the English wardens about breaches of the truce.[129] However, from early 1430 William, earl of Angus, seems to have played an increasingly important role on the marches.[130] In late 1434 he was made warden of the middle march, probably in connection with Dunbar's forfeiture, and at some point he received the same office in the east march.[131] Angus appears as a commissioner to negotiate on the marches in January 1430 along with

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126 *ibid.*, c. 2, 3, 4, 5, 6, 7, 9, 13, 16, 17.
127 *A.P.S.*, ii, 28.
128 Fraser, *Douglas*, iii, no. 63.
129 *C.D.S.*, iv, no. 1029.
130 *ibid.*, iv, no. 1032.
131 Fraser, *Douglas*, iii, no. 70; Angus was warden of the east march by February 1436 but probably already held the office in the previous year when he led the Scots at Piperdean. As his creation as warden of the middle march can be dated to 1434, if he was a warden before then he must have held the office in the east march (*Scotichronicon*, XVI, Ch. 25, l. 18-19; *H.M.C.*, xii, app. 8, 175, no. 293).

Douglas, March and Crawford.[132] Crawford's involvement was probably as admiral of Scotland, an office held by his father and connected with his role as a conservator of the truce in December 1430.[133] The three southern magnates were probably involved as wardens of the marches, suggesting that Angus had replaced March in the east and that the latter took over Douglas' office in the middle march. This would tally with the timing of Angus' appointment to the middle march as a result of Dunbar's arrest and the evidence that, from 1428, the King was actively building up the position of William, earl of Angus, in Berwickshire. The need for three wardens could, moreover, have been the product of James' plans to go north or west in 1430 and leave the wardens unsupported. In this situation the presence of an earl as warden in all three marches may have been designed to provide more effective local defence.

The re-adjustment of the march wardenships as stated above would clearly have been at Douglas' expense. The earl may have lost the middle march in early January 1430 when he was with James at Edinburgh.[134] The King's confirmation of the agreements between Douglas and his chief deputy in the west march, Michael Ramsay, may have been connected with the earl's role in that area. On 24 January the safe-conduct was granted to the Scots commissioners including Douglas, Angus and March, indicating that Angus' role on the marches had already commenced.[135] The King possibly wanted to inform Douglas of these changes at a personal interview to limit the dangers of a clash with the earl at such a delicate moment in Anglo-Scottish relations. Douglas' appointment as a commissioner in late January would suggest that the King felt confident about the earl's attitude.

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132 *C.D.S.*, iv, no. 1032.
133 *Foedera*, x, 483-87; *C.P.R. Petitions*, i, 630.
134 *R.M.S.*, iv, nos. 142, 143.
135 *C.D.S.*, iv, no. 1032.

However, the loss of a further portion of the influence wielded by his father must have had an effect on Douglas' feelings towards the King. Douglas was at the parliament of March 1430 where the King's preoccupation with the highlands must have been apparent.[136] If the earl seriously disliked this policy there is no evidence that he opposed it in the meeting of the estates. However, by May the Earl of Douglas may have had more concrete worries about his position on the marches in the King's absence. These worries could have resulted from the King's handling of fresh English attempts to renew the truce in April. James seems to have deliberately avoided arranging a meeting with the English ambassadors at this point as his agent, Thomas Roulle, refused to meet the full embassy. This game of diplomatic hide-and-seek caused the English to "mervaille gretely" and, although they continued to seek talks with the Scots, the King's approach put additional pressure on his march-wardens.[137]

The Earl of Douglas' presence with the King at Perth on 15 May may again have been connected with the role he was expected to play in the marches. However, if the earl wished to alter the King's preoccupation with the highlands he was clearly disappointed. Along with Bishop Cameron and the Earls of Angus and Mar, Archibald witnessed the creation of Alan, the second son of Walter, earl of Atholl, as Earl of Caithness.[138] The implications of this charter for the King's highland policy have already been discussed. Caithness was associated with Mar in the extension of royal authority in the north, showing the increased involvement of Atholl in continued campaigning in the area. It is also likely that plans of campaign for the coming summer in both Kintyre and the Great Glen

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136 *A.P.S.*, ii, 28.
137 C. Macrae, "The English Council and Scotland in 1430" in *E.H.R.*, LIV (1939), 415-26, no. iv.
138 *R.M.S.*, ii, no. 132.

were discussed. In these circumstances, the presence of Douglas and Angus probably indicates that the King was concerned with the defence of the border in his absence. However, as a display of royal plans in the lordship and of the influence of the Atholl Stewart family, the meeting may have persuaded Douglas to take independent action to protect his interests in the marches.

That the Earl of Douglas returned from Perth with this attitude is suggested by the sequel to the meeting. On 26 May, under two weeks later, the warden of the English west march, Richard Neville, earl of Salisbury, wrote to one of his councillors informing him of his contact with Douglas.[139] As only the reply to this letter is recorded, the nature of the dealings between the English and Scottish wardens in the west is vague. However, Salisbury was anxious to keep a scheduled march-day meeting with Douglas about redresses of the truce and was prepared, if necessary, to absent himself from the general negotiations between the English and Scottish commissioners. This desire for close contact with Douglas or his council in isolation from other Scottish negotiatiors was possibly significant, as Salisbury was already involved in other discussions with Earl Archibald. Salisbury's councillor mentions that he has been asked to "sende (yow) myne avys ... touchynge the matiere for the whiche the Erl of Doug(las) and his wyf have late sente to yow". It has been suggested that Douglas was seeking to negotiate the release of Malise Graham, his brother-in-law, and that this would explain the role of Countess Euphemia in the talks. However, at this point, such negotiations would seem strange, as Malise had been in England less than three years, compared for example with six years for David, master of Atholl.[140] It is equally unlikely that Douglas was

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139 C. Macrae, "The English Council and Scotland in 1430" in *E.H.R.*, LIV (1939), 415-26, no. v.
140 A.I. Dunlop, *Bishop Kennedy*, 5.

plotting major treason with English aid. The discussions were probably connected with Anglo-Scottish diplomacy and the maintenance and continuation of the truce. This was the concern of the English at this time, and Salisbury's correspondent advised his master to wait for the result of the latest diplomatic mission before thinking "to fulfille theire desires". This latest effort was the embassy of John, lord Scrope, who "comuned personelly iiii or v dayes at his leyser" with James I, probably between 15 and 26 May. The success of these talks was still not known on 29 May, but the connection drawn between Scrope's negotiations and those of the two earls suggests that Douglas offered conditions which would be acceptable to Salisbury in the event of James refusing to renew the general truce.

That the discussions were held between the two march wardens in the west and would come into consideration if the general truce was not renewed suggests that some form of private peace or guarantees were being discussed to cover the west march. The King's aim of maintaining an active defence is made plain by the "Item on the Marches", with its emphasis on the military organisation of the border, as well as his behaviour in Anglo-Scottish negotiations.[141] If Douglas was undertaking secret and personal talks with his English counterpart, it must be seen as evidence of his dissatisfaction with royal policy and its highland emphasis. As the predominant magnate and landowner in the west march, Douglas had a private interest in maintaining the peace of the area against the possibility of English attacks.

The results of Douglas' negotiations with Salisbury are not clear. Scrope's talks with the King marked a slight advance for the

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141 I. O'Brien, "The Scottish Parliament in the Fifteenth and Sixteenth Centuries" (unpublished Ph.D. thesis, University of Glasgow, 1980), Appendix I.

English. James, at least, stated his demands to the ambassador.[142] However, the King's main aim could have been to present the image of a strong and successful ruler which Scrope dutifully relayed to the English government. A renewed truce was apparently as far away as ever and, in these circumstances, Salisbury may have been prepared to negotiate with Douglas about the situation in the west march, possibly during July when the King was probably involved in campaigning in Knapdale and Kintyre.

If this local truce occurred in the summer of 1430 it could explain the absence of Douglas from Anglo-Scottish negotiations in December when the general truce was renewed. The new truce had resulted from a relatively short period of talks. Scrope had returned to Scotland in November authorised to meet James' terms.[143] The new truce was specifically limited to the sea and the Anglo-Scottish border, allowing James to honour his obligations to France if he should choose to do so.[144] The success of the King in playing on English fears of a war in the north to maintain his diplomatic freedom of action must have raised his prestige at home. It is possible, though, that this achievement was slightly clouded by further evidence of James' poor relations with Douglas.

The absence of Archibald, earl of Douglas, from the list of men named as conservators of the truce in December 1430 is clearly of significance.[145] The Black Douglas family had dominated Anglo-Scottish relations since before 1400 and Archibald, as earl of

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142 *P.P.C.*, iv, 73-75.
143 *ibid.*, iv, 68, 70-71.
144 *Foedera*, x, 483-87. The truce was confined to the area between St. Michael's Mount, the southernmost point of Cornwall, and the river Findhorn and was also applied at sea. This excluded France and the north of Scotland from the truce. It is possible that in return for allowing James to retain the freedom to intervene in France, the English excluded possible aid to the lordship of the Isles from the new truce as a counter-threat. However, there is no indication that such aid was being actively considered.
145 *ibid.*, x, 487.

Wigtown, had been a conservator of the truce in 1424.[146] In the 1430 truce the conservators on both sides are named as admirals of the sea and wardens of the marches. On the English part the men involved were military leaders in these areas and included both wardens, Northumberland and Salisbury, as well as the Duke of Gloucester, the head of the council of regency.[147] The Scottish conservators held similar positions. They were headed by Atholl, the senior adult kinsman of the King, and included two march wardens, Angus and March. The Earls of Mar and Crawford were also named, perhaps in connection with the office of admiral. This position had been held by Mar in 1423 and by Crawford's father.[148] Six men of lesser rank were also appointed as conservators of the truce. These were William Hay, the constable, James Douglas of Balvenie, Thomas Somerville, Walter Haliburton of Dirleton, John Forrester and Herbert Maxwell of Caerlaverock. With the exception of Hay, who was probably included as the constable, the main lands or interests of these men were to the south of the Forth. In addition, Forrester, Balvenie, Haliburton and Somerville were all employed by the King in border negotiations for his government.[149]

The presence of these men makes the absence of the Earl of Douglas even more striking. He had been warden of the west march in May and was still the most important landowner in the borders. To leave him out as a guarantor of the truce implies that the King mistrusted Douglas in the field of Anglo-Scottish relations. The

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146 *C.D.S.*, iv, no. 949.
147 Also included on the English side were the Earl of Warwick and Lords Willoughby and Hungerford, who were significant military commanders in France, and the Earl of Westmoreland, Lord Dacre and Sir Robert Umfraville, who were English border landowners.
148 *C.P.R. Petitions*, i, 630; *A.B.Ill.*, iv, 183.
149 Forrester, Hay and Somerville had all been conservators of the 1424 truce (*C.D.S.*, iv, no. 949). Haliburton, Balvenie and Forrester were involved in the negotiations in 1429, 1430 and 1431 (*C.D.S.*, iv, nos. 1030, 1032, 1041; Appendix, no. 21).

inclusion of Douglas of Balvenie and Maxwell of Caerlaverock as conservators may have been designed to fill the gap left by the earl. Balvenie had deputised in the marches for the 4th earl and enjoyed good relations with the King and with the Douglas affinity.[150] Maxwell was steward of Annandale for the Earls of Douglas and an influential west march landowner.[151] As Douglas' absence was particularly important in the west, these two men may have been named as lesser landowners in this area in place of the earl. Whether they replaced the earl as wardens of the west march is unclear, but Douglas had clearly been excluded from involvement in the new truce. If he had undertaken private negotiations with Salisbury in May 1430, the King may have taken action against this display of Douglas independence on the marches. The contrast with 1424 and the Black Douglas control of the marches cannot have been made more clearly.

During this period of apparently increasing crown-Douglas tension there is an indication that James was prepared to bestow favours on the earl. This may have been a deliberate attempt to reduce these tensions following the birth of twin sons to the King in October 1430.[152] The two princes, Alexander and James, were baptised, and knighted with a number of other boys and young men named in the *Scotichronicon*. These young knights included William, son and heir of Archibald, earl of Douglas, possibly implying the King's hopes for long-term association between the royal and Black Douglas families.

However, it is also significant that the other families involved in the knighting ceremony were all Lothian baronial houses or from connected areas of southern Scotland. This may have been an illustration to the Earl of Douglas of the links between the King and

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150 *E.R.*, iv, 115; *R.M.S.*, i, no. 901.
151 *R.M.S.*, ii, no. 242.
152 *Scotichronicon*, XVI, Ch. 16, l. 39-57.

families which had been part of the Douglas affinity before 1424. The heirs of William Borthwick, William Crichton, Logan of Restalrig, Edmonstone of that ilk and James Douglas of Balvenie were all knighted with the princes. All of these men had been in contact with the Black Douglases during the Albany governorship, but their appearance at the ceremony is an indication of their links with James.[153] As has been mentioned, the King enjoyed the support of Crichton and Borthwick, along with Haliburton and Hepburn of Hailes, on his expedition of 1429, and by this date these men may have been adherents of the King. The significance of this process in terms of Haliburton and Hepburn and royal ambitions in East Lothian will be discussed later, but the importance of James' ties with the Crichtons and neighbouring families really starts in the middle of the reign.

The King's links with the Crichton family were based on his personal friendship with William Crichton of that ilk. William had been knighted at James' coronation, and by 1426 was the chamberlain of the King and sent on an embassy to Denmark.[154] However, his role on the council seems to have begun in late 1429, and in 1431 he appears as a Lord of council.[155] This significance in central government was translated into local authority between 1431 and 1434 when William was made sheriff of Edinburgh and keeper of the castle, as well as being made master of the King's household.[156] This was the basis of William's importance in the next reign, and the build-up of Crichton's influence around Edinburgh by the King is an indication of the trust which clearly existed between the two men. This trust

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153 *R.M.S.*, ii, nos. 13, 254.
154 *Scotichronicon*, XVI, Ch. 10, l. 17; XVI, Ch. 33, l. 1-10; *S.P.*, iii, 57-58.
155 Crichton witnesses three royal charters in 1429, one in 1430 and one in 1431 (*R.M.S.*, ii, nos. 127, 134, 142; iii, no. 1928; S.R.O., GD 20/1/192). He appears as a Lord of Council (*Melr. Lib.*, ii, nos. 519, 526).
156 *E.R.*, iv, 573, 603, 607; *H.M.C.*, vi, 691; Fraser, *Douglas*, iii, no. 394.

extended to William's cousin George, son and heir of Stephen Crichton of Cairns. By 1437, George was probably playing a similar role to William in West Lothian. He succeeded his father as sheriff of Linlithgow, and by early 1434 held the lands and castle of Blackness on Forth, the port for Linlithgow.[157] The construction of the palace at Linlithgow and its use as a royal residence increased the significance of George as a royal official. By building up the influence of the Crichtons in the Lothians, James was seeking to guarantee royal control of the area. Despite their own estates in the area and the construction of several fortified residences, the Crichtons were dependent on royal support and offices for their local authority.[158]

The knighting of William, son of James Douglas of Balvenie, must have been of special interest to the Earl of Douglas. The involvement of Balvenie in the ceremony was possibly a reflection of his influence with his nephew but, in conjunction with men like Crichton and Borthwick, James Douglas' presence may have been due as much to his political ties with the King. As has been discussed, Balvenie had been an occasional royal councillor since 1424 and had benefitted from the King's patronage. He was a neighbour of George Crichton in his barony and castle of Abercorn and by 1435 was sheriff of Lanarkshire.[159] Thus, although he was less close to the King than the Crichtons, Balvenie was, like them, a royal official and Lothian landowner and was to use his proximity to the central government to his advantage after 1437.

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157 Fraser, *Haddington*, ii, no 292; *H.M.C.*, xiv, app. 3, 11, no. 10; *E.R.*, v, 22; iv, 449, 484, 529, 609.
158 Though clearly less important that the Crichtons, William Borthwick, father and son, also witnessed a number of royal documents between 1429 and 1431 (*R.M.S.*, ii, nos. 127, 134, 142; iii, no. 1928).
159 *E.R.*, iv, 670.

This indication of the advances of royal influence in Lothian must have provided another example to the Earl of Douglas of the way the King's successes had been achieved at the expense of the main Black Douglas family. More importantly, during 1430 the King had shown himself unwilling to accept any Douglas independence on the marches and had even excluded the earl from Anglo-Scottish relations by the end of the year. Although this did not alter the predominant influence of the earl in the west and middle marches, it must have brought into question the political role which he was to play. Douglas had suffered setbacks in his relations with the King over the Kennedies and over the direction of royal policy and, by the beginning of 1431, he may have been ready to take action to re-establish his political fortunes. At the same time the King's attitude to Douglas suggests a degree of mistrust of the earl's ambitions, which must have been fuelled by the negotiations which Douglas undertook with the Earl of Salisbury.

iv. 1431 - King in a Crisis

At the beginning of 1431 the King seemed more secure in some ways than a year before. The campaign against the lordship in 1430, although less spectacular than the 1429 expedition, had still achieved some gains. The possible advances in Kintyre and the Great Glen and in royal authority in Moray must have improved the position of the King's forces, despites continued resistance from within the lordship. More importantly, the truce with England had guaranteed James a major role in the Anglo-French conflict and preserved the prospect of a prestigious marriage for his daughter. The birth of twin sons in October 1430, ending as it did the King's fears about the succession, must have increased James' security. Although the elder twin, Alexander, died before April 1431, the survivor, James, was created Duke of Rothesay and established in Doune and Edinburgh castles with his own household.[160] The existence of a clear heir removed any need for complex political arrangements over the succession and the dangers of rival claims being pressed from within the Scots nobility.

However, in early 1431 the King must have been faced with the fact that the tax money raised for the ransom was being exhausted. By using the money for personal expenditure, James had created a pattern of spending impossible to maintain from his normal revenue. The King had already been forced to ask for a contribution for the embassy to England in January 1431.[161] If the King had raised paid retinues for his highland campaigns of 1429 and 1430, the absence of the tax money had serious implications for the war against the lordship. James' failure to take the field in person during 1431 may

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160 *Scotichronicon*, XVI, Ch. 16, ;. 39-43; *E.R.*, iv, 529, 575, 603, 622.

161 *E.R.*, iv, 654; Balfour-Melville, *James I*, 193.

have been partly due to financial reasons, which forced him to depend on Mar and his allies.

In terms of the King's relations with his major subjects in the lowlands, the continued attacks on the lordship were still a success in early 1431. The involvement of Mar, Atholl and Caithness and their supporters in these efforts guaranteed their backing for James in the area north of the Tay at least. However, the remaining earl, present in Scotland in 1431, who had interests in the north-east of the kingdom, enjoyed relations with the King which were certainly distant and probably tense at this point. The attitude of Alexander, 2nd earl of Crawford, towards James must have been coloured by the events of 1424-5. During this period Crawford had been a hostage in England and only returned in 1427.[162] Crawford and his kinsmen seem to have been connected politically with Duke Murdac, and Alexander was the only earl, in Scotland in 1431, who survived 1424-5 but did not condemn Albany. To this extent, Crawford represented a problem to James. In addition, the fate of Alexander's two uncles cannot have improved his attitude to the King. Walter Lindsay of Kinneff had been killed at Verneuil while William Lindsay, though still alive, had been forfeited, presumably at the Stirling assize of 1425.[163] Thus, although his own lands were left untouched, this situation must have created potentially difficult relations between James and Earl Alexander.

The mutual doubts of the King and the earl probably explain the limited contact between the two men after 1427. They may also account for the minor role played by Crawford in the highland

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162 *C.D.S.*, iv, nos. 952, 1010.
163 Jehan de Waurin, *Chroniques et Anchiennes Istoires de la Grant Bretagne*, 5 volumes (London, 1864-91), iii, 117; *La Chronique d'Enguerran de Monstrelet*, 6 volumes (Paris 1857-62), iv, 195; N.L.S., ADV 34.6.24, 189. Lindsay was alive in 1435 living off his wife's pension (*E.R.*, iv, 560, 615), but was dead by 1438 (*E.R.*, v, 15).

campaigns.[164] Despite his lands and offices in Aberdeen, Banff and Inverness-shires, the earl seems only to have taken part in the 1429 expedition, which involved men not normally associated with the north. The King may have excluded Crawford deliberately from opportunities in the lordship. Another possible indication of tension in the relationship between James and Earl Alexander may be the treatment of Crawford's pension. Like the Earl of Mar's, Crawford's pension from the customs of Aberdeen was stopped in 1424-5. However, the King continued to pay the £66 13s 4d which was Crawford's pension from Dundee.[165] In March 1430, in connection with a statute of that parliament, James asked for proof of annuities from the customs, and in the exchequer accounts the King was clearly waiting for that proof from Crawford before allowing the 1430-31 pension to be paid.[166] In the 1431 accounts a royal confirmation of the earl's annuity, which dated from Robert I, was included.[167] While the King's treatment of annuites in 1430 was probably an indication of his growing financial worries in general, the attempt to remove the earl's last pension, at the point at which Mar was having his annuity restored, may have caused Crawford to feel resentful.

In view of the possible areas of dispute between the King and the Earl of Crawford, a charter granted by James to Alexander at Perth on 1 February is clearly of significance.[168] The grant concerned lands in the sheriffdom of Forfar which were in the King's hands by reason of the forfeiture of William Lindsay. These lands were worth 20 marks and included Newton and Bonnyton in Crawford's

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164 *R.M.S.*, ii, no. 127. Crawford also played a part in border negotiations in 1430 (*C.D.S.*, iv, no. 1032; *Foedera*, x, 487).
165 *E.R.*, iv, 359, 360, 383, 404, 433, 469.
166 W.C. Dickinson, "The Acts of the Paliament at Perth, 6 March 1429/30", in *S.H.R.*, vol xxix (1950), 3; *E.R.*, iv, 500.
167 *ibid.*, iv, 531-32; *R.M.S.*, i, nos. 309, 763.
168 N.L.S., ADV 34.6.24, 189.

lordship of Inverarity. They had possibly been granted by the earl to his uncle, Linday of Rossie, in 1423 and Crawford was clearly interested in the lands as their superior. It is likely that James also granted the lands of Dunbog to Crawford. They had also been held by Lindsay of Rossie but were in the hands of the Earls of Crawford later in the century.[169] As William Lindsay had probably been forfeited in 1425 and Earl Alexander had been in Scotland since 1427, it seems strange that James should grant these estates in February 1431 unless there were external factors. The King's restoration of Rossie's lands to Crawford, who was their previous overlord, could indicate royal worries about relations with the earl. Crawford may have been pressing to receive these lands since his return. However, the timing of the King's grant suggests that in 1431 James felt vulnerable in his dealings with the earl, perhaps due to problems elsewhere.

The lands which Lindsay of Rossie held in the earldom of Fife were not granted to Crawford, probably because he was not their lord, and, despite the King's attempt to mollify the Earl of Crawford there is no indication of an improvement in relations between the two men.[170] Crawford does not appear in connection with the royal government and, as will be discussed, his behaviour in the north-east after 1435 suggests that he was frustrated in his ambitions in the area. In this light the King's restoration of some lands in Fife and Angus were hardly adequate compensation for the local dominance in the north-east to which the Earl of Crawford aspired. However, the fact that the King was prepared to relinquish lands to the earl suggest that he was aware that Crawford was dissatisfied with his

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169 *ibid.*, 183; *R.M.S.*, ii, no. 1691.
170 Of these Fife lands, possession of Rossie seems to have passed to the Bonars and Luchate to have been retained by Stewart of Durisdeer (*R.M.S.*, ii, nos. 115, 1610).

position in the Kingdom and was therefore a potential trouble-maker in the area.

In 1431, though, the King's main concerns in his dealings with his nobility were in the south of the realm. These obviously centred on James' dealings with his nephew, the Earl of Douglas, but may also have included worries about the situation on the east march. In this area the friction between George, earl of March, and William, earl of Angus, which was to become a major issue in the following year, had probably already begun. As the King's interference in the south-east was an immediate cause of this conflict, James was probably aware of the potentially dangerous situation in East Lothian and Berwickshire. This must have coloured the King's attitude to Douglas during 1431, as an open breach with the earl would add to the existing instability in the south and threaten royal control of the whole area.

Fears about a wider problem in the borders may have been only one of a number of factors which encouraged James to avoid pushing Douglas into an extreme position. Despite the earl's actions in 1430, which suggest his hostility to James' concentration on the north and perhaps also to the influence of Atholl, there is no sign that the King contemplated a major attack on the Black Douglas connection. Indeed the links between James and adherents of Douglas may have provided another reason why the disputes between the two never got out of control. As we have seen, from 1424, Douglas of Balvenie was able to remain a councillor of both the King and his nephew, Earl Archibald, and, as in 1426, retained an interest in preserving the peace in crown-Douglas relations.[171] Both Balvenie and Maxwell of Caerlaverock, by appearing as conservators of the 1430 truce, had maintained the involvement of the Black Douglas affinity

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171 Balvenie appeared on the royal council in February 1431 (*R.M.S.*, ii, no. 186).

in cross-border politics while the earl was under a cloud.[172] On a smaller scale, the positions of Michael Ramsay and Thomas Kirkpatrick of Closeburn provide evidence of the stability of the King's relations with Douglas' vassals and supporters. Both Ramsay and Kirkpatrick were close adherents of the earl from the lordship of Annandale and Dumfries-shire in general.[173] However, Ramsay and Kirkpatrick were also royal officials, acting from 1429 to 1434 as custumars of imports and exports on the marches without any interruption for the earl's period of disgrace.[174] By 1433-4 Kirkpatrick was also sheriff of Dumfries-shire and he had probably been in the office earlier.[175] Although the employment of men like these in local royal offices was normal practice, the lack of any signs of instability or conflict at this level suggest that, unlike James' involvement in the east march, the King was not seeking to undermine the major local magnate in the west.

The trust between James and Douglas' adherents in early 1431 is most apparent in the King's employment of Michael Ramsay as the custodian of his children.[176] That, despite the evidence of tension between the King and Earl Archibald in 1430, the King entrusted possession of his young son to an adherent of Douglas is, at least, an indication that James trusted Ramsay regardless of his ties to the earl. The links between the King and men like Balvenie, Maxwell and Ramsay suggest that no final breach with the Black Douglases was contemplated, despite the clashes with the earl. The basis of James' attitude to the Black Douglases was the alliance he enjoyed with the family in 1424-5. The tie of kinship between the King and the earl

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172 *Foedera*, x, 487.
173 *R.M.S.*, ii, nos. 86, 143; *H.M.C.*, xv, app. 8, 57; Fraser, *Douglas*, nos. 383, 384, 391.
174 *E.R.*, iv, 516, 527.
175 *ibid.*, iv, 600.
176 *ibid.*, iv, 473, 529.

was clearly valued by James as were his relations with his sister, Duchess Margaret, who had been given such influence in the south-west. Similarly the involvement of former Douglas men like John Cameron, William Fowlis and John Fogo in the royal government may have meant a degree of sympathy for the earl on the King's council.

Another factor which must have seemed likely to reduce crown-Douglas tension was the conclusion of a new truce with England in 1430. Archibald would not have to worry about being exposed to English depredations while the King was in the north, which was his major concern in the previous year. This would also give Douglas less reason to oppose the King's attack on the lordship. However, the Anglo-Scottish truce would also have the reverse effect of making James less dependent on the march wardens for the defence of the borders. This may be connected with the increase in tension on the east march and would mean the King would feel more secure about facing opposition from the south.

The trouble that occurred between the King and the Earl of Douglas during 1431 was not, therefore, directly connected with the situation on the marches nor, probably, with the continued royal expeditions to the highlands. Instead the clash was again based on the more local but potentially explosive problems within the earldom of Carrick. The King had not provided a long-term solution to this question in 1429, probably because he had divided authority in the area between John Kennedy and his uncle, Thomas. The evidence suggests that James was increasingly acting in support of Thomas Kennedy, who was probably responsible for royal lands in Carrick as bailie. In August 1430, Thomas received the lands of Troweir in Carrick from the King. This was the second grant of escheated lands in the earldom to Thomas, and neither charter included John Kennedy

of Dunure in line of succession to the lands.[177] This was partly due to the fact that these estates were not drawn from the Kennedy lands, but it may also be evidence of a continued split within the familiy. The creation of a holding for Thomas outside the main kindred could be a sign of the King building up the independence of his local supporter.

It was this division in the Kennedies which was probably the main reason for renewed trouble in Carrick during 1431, resulting in a major upheaval in the earldom as well as a new clash between the King and Douglas. The only indication of the course of the dispute is provided by Pitcairn in a hopelessly garbled account which appears to be a conflation of several incidents.[178] The story concerns the seduction of a daughter of James I who had been fostered with the Lord of Dunure. The son of the lord who was responsible was disinherited and his younger half-brother succeeded and married the princess. This clearly refers to the succession of James Kennedy and his marriage to Mary Stewart in 1405, which disinherited his elder half-brothers.[179] Pitcairn accurately names the two wives of Gilbert Kennedy as the mothers of the rival heirs and identifies the children of the royal marriage as the Bishop of St. Andrews and the 1st Lord Kennedy. It would seem therefore that Pitcairn's account refers chiefly to 1405-6. However, it is interesting that James I is associated with the disinheritance and that John Kennedy is not included in the sons of James Kennedy's marriage to Mary. Pitcairn may have confused the separate disinheritance of two Kennedy heirs, the sons of Gilbert's first marriage, and John's removal in 1431. Thus the account is a very weak basis for establishing reasons for the events of that year, and other chroniclers are equally in the

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177 *R.M.S.*, ii, nos. 140, 162.
178 R. Pitcairn, *History of the Kennedies*, 6.
179 *R.M.S.*, ii, nos. 378, 379, 403.

dark about the causes of royal action against Douglas and John Kennedy.[180]

Bower is, however, clear about the result of this action. "In the same year (1431) for certain causes (*ob certas causas*) the lord King ordered the arrest of Archibald, the third of that name, earl of Douglas and of Sir John Kennedy, knight, both his nephews".[181] The arrest must therefore have taken place between March 1431, the beginning of the year, and October, when Douglas was released. The "certain causes" which led to the arrest are vaguely referred to in the document of the 1460s concerning the lands of Kirkintilloch and the claims of the Flemings to that estate in their lordship of Cumbernauld.[182] In this it is recorded that John Kennedy was forfeited by the King for felony, though no specific charges are mentioned. The crime itself is not specified but was presumably not flagrant rebellion. Given the circumstances in the area, it seems plausible to assume that John was arrested in connection with his dispute with his uncle. If Thomas was still acting as bailie, an attack on him could have resulted in damage being done to royal lands in Carrick. This offence could have been used as a justification for the King's action. The reluctance of James to release his nephew for the rest of the reign also suggests that John had committed acts which made him unacceptable to the King. Ironically, given his background, it is conceivable that John's problems were a small-scale version of those faced by the King in 1424. However, James clearly had no sympathy for John's attempts to disrupt Carrick in dispute

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180 Hume of Godscroft and Buchanan make vague statements about the dangers of criticising princes but can provide no motive for the arrests (Buchanan, *History,* CII, Ch. xlix; Hume, *Douglas and Angus,* ii, 253-55).
181 *Scotichronicon*, XVI, Ch. 16, l 68-70.
182 N.L.S., Ch. no. 16632.

with Thomas, especially if they challenged royal authority in the area.

That Douglas was arrested with John Kennedy during 1431 is presumably an indication that the earl was involved in the renewed unrest in Carrick. It certainly suggests that he was linked to John Kennedy by the King. If fighting had occurred or was threatened in the south-west, Douglas may have again become implicated and, as Douglas of Balvenie was absent on an embassy to England during the spring of 1431, there was conceivably a breakdown in contact between James and the earl.[183] Balvenie seems to have played the role of middle-man in 1426, and his absence may have contributed to a deterioration in crown-Douglas relations in early 1431. Whether Douglas had supported Kennedy in Carrick or whether he had defended Kennedy at court, the earl was clearly seized by James, probably to forestall a dangerous intervention in the affair by the earl. The timing of the arrest is uncertain, but it is reasonable to place it during the early summer, prior to the King's sojourn on the marches in the vicinity of Melrose. In connection with this it may be significant that on 3 June the King confirmed two charters to Melrose Abbey from the 1st and 2nd earls of Douglas.[184] The lands granted were in the lordship of Cavers and thus not in the hands of the 5th earl, and neither was the earl present as a witness. However, in 1424, 1426 and 1430 Douglas had shown himself to be involved with Melrose and royal business concerning the abbey, and it is possible that he was at Linlithgow with the King in May 1431 as a patron of Melrose.[185] If it was at this point that Douglas was arrested then the presence of William, earl of Angus as a witness to the charter to Melrose is interesting. Angus was most clearly a royal agent among

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183 *P.P.C.*, iv, 78; *C.D.S.*, iv, no. 1045.
184 *Melr. Lib.*, ii, no. 534.
185 *R.M.S.*, ii, nos. 11, 31, 142.

the march wardens, as his dispute with Dunbar showed, and he may have been employed by James in the aftermath of Douglas' arrest to prevent a reaction from the latter's supporters.

It seems more likely that the Earl of Douglas was arrested at court, where such an act could be achieved without violence, rather than in his own heartlands on the marches. As we have seen, the earl was not infrequently with the King between late 1429 and 1431, and was at Linlithgow on at least one occasion during this period. As in 1424-5 and at Inverness, therefore, it is likely that James detained one of his major subjects at a meeting to which the victim had come voluntarily. Given the lack of any evidence that John Kennedy appeared at court, the circumstances of his arrest are even less clear. He could have gone to Linlithgow with his ally, Douglas, to put his case, or he could have been arrested by his local opponents in Carrick.

Following the arrest of the two men the King "sent the earl into custody in the castle of Loch Leven, and he kept his (other) nephew under guard in Stirling castle".[186] The choice of prisons, reported by Bower, may reflect a distinction in the way the King's nephews were treated. Kennedy was placed in one of the main royal castles while Douglas, although on an island, had been released into the possession of a minor family of his surname. The lord of the castle, Henry Douglas of Loch Leven, was a hostage at this point and the earl's custodian may have been James Douglas of Lugton, Henry's nephew.[187] James' father and Henry had both served under the earl during the expedition to France and in May 1424 the latter ratified the financial arrangements of the two brothers.[188] Thus, although

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186 *Scotichronicon*, XVI, Ch. 16, l. 70-72.
187 *Registrum Honoris de Morton*, Bannatyne Club, 2 volumes (Edinburgh, 1853), i, no. xlii; *S.P.*, vi, 365.
188 Fraser, *Douglas*, iii, nos. 62, 63.

the Lochleven branch of the Douglases were not regular councillors of the earl they maintainted connections with him. As a result, the earl's incarceration, although strict according to Bower, was probably limited in its scope. Douglas was detained at the King's orders but was in the hands of men unlikey to be involved in a major attack on him.

By contrast Kennedy was in royal hands and in a castle with which he had no connection. That, in addition, his imprisonment continued after the release of Douglas suggests that James' hostility towards Kennedy was based on much more definite grounds. John Kennedy was probably the main target of royal action in 1431 and Douglas was arrested to prevent him supporting his cousin. This emphasises that Carrick was central to the events of 1431 and that the King had decided that the removal of John Kennedy was the only means of guaranteeing the stability of his earldom.

The division of power within the Kennedy family in Carrick which followed John's removal shows the beneficiaries of royal action, and it is reasonable to assume that these men supported the King against his nephew in 1431. In the exchequer account of 1434 Thomas Kennedy appears as bailie of Carrick, Dalrymple, Dundonald, "Machanshire" and Stewarton, and Fergus Kennedy of Buchmonyn as keeper of Loch Doon castle.[189] Therefore, at the very least, the two men were retaining their offices and it is possible that Thomas' authority was extended to royal lands in Ayrshire outside Carrick. The lordship of Dalrymple had been included in the 1405 grant of lands to James Kennedy. Thomas' authority in the area suggests it was in crown hands in 1434 following John's forfeiture. That no other Kennedy lands are mentioned in the bailie's hands presumably shows that they

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189 *E.R.*, iv, 594-96.

had passed to Gilbert.[190] Thomas kept his hold on the earldom of Carrick into the next reign and was only removed with difficulty by his nephew Gilbert.

It is possible, however, that in 1431 Gilbert agreed to accept the position of his uncle and, in the long-term, he also benefitted from the removal of his brother. In 1434 he held £25 worth of crown lands in Crrick and, although he was not referred to as lord of Dunure, it is probable that Gilbert was in possession of the family estates which John had lost in 1431.[191] These lands do not appear in royal hands and if Gilbert received them following his brother's forfeiture it is conceivable that he supported the King's actions against John. After all he gained considerable property from the process and may have seen John's behaviour as a threat to the position of all three sons of James Kennedy and Mary Stewart. The only loss to the main Kennedy family in 1431 was the lands of Kirkintilloch, which passed to Malcolm Fleming as the superior lord after John's forfeiture and possibly Dalrymple.[192] It is possible that the £25 of lands in Carrick given to Gilbert before 1434 were intended as compensation for the estates which he had not inherited elsewhere. In other areas Gilbert and his younger brother, James, were clearly excepted from the King's hostility towards John. Gilbert was acting as joint-bailie of Bute and Arran in 1437 and he may have been appointed to the office by the King.[193] James Kennedy received papal permission to hold two incompatible benefices in April 1432 "at the instance of James, King of Scots" and received the canonry of Menmor in Dunkeld diocese at the same time.[194] This shows

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190 *R.M.S.*, ii, no. 403.
191 *E.R.*, iv, 596.
192 N.L.S., Ch. no. 16632.
193 *E.R.*, v, 84. This may, however, date from after James' death and be an indication of Douglas' links with his Kennedy cousins during his term as Lieutenant-General.
194 *C.S.S.R.*, iii, 216, 220.

the continued interest of the King in James' ecclesiastical career which culminated in his appointment to the see of Dunkeld in early 1437.[195] The relationship between the King and his two younger Kennedy nephews suggests that they were not under the same suspicions as their brother.

However, if James was able to reconcile the Kennedy kindred to John's removal with ease, this was not the case with the Earl of Douglas. The King clearly had sufficient worries about the earl to take the drastic step of detaining him. Even if Douglas' imprisonment was limited in its aim, the act must have been a major shock to the political community as a whole and especially to the earl's adherents in the south and south-west of Scotland. Comparisons would have been drawn with the arrests of Walter Stewart, Lennox and Albany in 1424-5 and Alexander of the Isles in 1428. In all these cases the arrests had been a prelude to royal intervention in the areas of his prisoners' influence, and James may have been suspected of such motives in 1431. The King himself must have been aware of the possibility of unrest in the south and he was probably relying on his personal links with Douglas supporters in the area to prevent it. It may have been at this point that Michael Ramsay was removed from his position as keeper of the Duke of Rothesay and replaced, significantly, by John Spens, a close adherent of the Earl of Atholl.[196]

However, James clearly decided to reinforce his links with other Douglas supporters by visiting the centres of Douglas influence on the marches during the summer of 1431. Angus may already have been connected with this process but, as in 1424, James probably visited the south of Scotland to establish personal contact with Douglas

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195 *Scotichroncion*, XVI, Ch. 26, l. 31-38.
196 *E.R.*, iv, 529, 603, 622. Spens was already involved in payments for the duke in 1431.

adherents. On 20 July David Menzies of Weem granted Melrose Abbey his part of Wolfclyde in Lanarkshire, in return for prayers for his family and the King and Queen.[197] This was witnessed by Walter Ogilvy, John Forrester, William Crichton, William Fowlis and two of the King's chaplains, David Nairn and William Scott. The attendance of these men makes it almost certain that the King was present, as they formed his daily council. This impression is reinforced by the involvement of the royal council in a land dispute between Melrose Abbey and Haliburton of Dirleton over part of Hassington in Berwickshire.[198] The King ordered the case to be presented to this council on the Saturday before St. James' day, which in 1431 was 21 July. At this meeting it was decided to hear the case the following Friday, 27 July, at Hassington before an assize of Berwickshire landowners and "the lords of the Kyngis consell". On this council were Fowlis, Forrester, Crichton and David Stewart of Hertshaw.[199]

It is apparent that James' council and therefore, one assumes, the King himself, was in the vicinity of Melrose and Hassington between 20 and 27 July. It is likely that James' presence in the area during late 1431 was not entirely connected with his business with Melrose Abbey. Given the links between the King and Abbot John Fogo of Melrose and between Melrose Abbey and Douglas, it is probable that James was using the abbey as a point of contact with the local community in the earl's absence. The visit to Roxburghshire may indicate that the area was seen by the King as a potential trouble-

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197 *Melr. Lib.*, ii, no. 519.
198 *ibid.*, ii, no. 526.
199 Stewart was also lord of Rosyth in Fife and Durisdeer in Dumfries-shire and was connected with Douglas through these south-western lands and estates elsewhere (S.R.O., GD 11/10; Fraser, *Douglas*, iii, no. 68). He was also a procurator for Douglas in 1436 with Crichton and Fowlis (Fraser, *Douglas*, iii, no. 400; N.L.S., ADV 20.3.8, 54). Although he was a less apparent royal councillor than the other men at Melrose, it was his links with James rather than these points of contact with Douglas which determined his presence.

spot, rather than the west march where he had closer relations with local men. James' aim was probably to display royal authority to Douglas adherents like the Scotts, Kerrs and Rutherfords and ensure that there was no local reaction to the earl's arrest.[200] The absence of any indications of trouble in the area can be taken as negative evidence of royal success in this scheme, and James probably returned to Edinburgh or Linlithgow in early August.

Initially therefore, the arrests of the Earl of Douglas and John Kennedy may have appeared as further displays of royal authority. At some point before mid-September 1431 the King must have summoned parliament to meet at Perth on 15 October.[201] At least part of his purpose in calling a meeting of the estates was probably to have John Kennedy tried before a parliamentary committee, but the timing of his meeting also placed it after the end of the campaigning season in the north. If James was anticipating successes in Lochaber which would add to royal prestige then he was to be badly disappointed. The precise dates of the defeats at Inverlochy and in Strathnaver are unknown, but both battles occurred at some point in September and news of them may have reached James by the beginning of October.[202] If James had received the news by this point then Bower's statement that Douglas and Kennedy "were strictly imprisoned until the next Michaelmas" may be connected with events in the north.[203] Bower suggests that, after 29 September, one or both of the King's nephews was released. As Kennedy is later stated to have remained in

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200 Douglas was in regular contact with the area from Newark castle in the lordship of Selkirk and had good links with the local families (Fraser, *Buccleuch*, ii, no. 25; Fraser, *Douglas*, iii, nos. 388, 392, 393, 396, 398).
201 *A.P.S.*, ii, 20.
202 Bower says that the battle occurred "a little earlier" than the parliament and that they took place in the same month (*Scotichronicon*, XVI, Ch. 17, l. 1, 11). The *Extracta* states that the fight in Strathnaver was in September (*Extracta*, 233).
203 *Scotichronicon*, XVI, Ch. 16, l. 72-73.

custody, it is possible that James released Douglas a fortnight before parliament opened.[204] Such an act could indicate that Inverlochy had an immediate effect on the royal attitude and that James was anxious to reach a settlement with the earl in anticipation of the problems he would face when the estates met.

A formal reconciliation was only reported by Bower at the parliament, but if James released Douglas in late September he must have demanded some guarantees from the earl and his kin. The sixteenth century *Extracta e Variis Chronicis Scocie*, which is based on Bower and the *Liber Pluscardensis*, includes the information that Douglas was released through the intervention of his mother.[205] Margaret, duchess of Touraine was an obvious link between James and the Earl of Douglas, and she may have offered inducements to her brother to secure Archibald's release.[206] The duchess was also in a position to affect the situation in Carrick and the King probably wanted his sister and her son to accept the removal of John Kennedy. Given their links with John, neither Douglas nor his mother were likely to be happy with this situation. For the King to release Douglas prior to the parliament was a risk designed to ease his relations with the earl and the worries of his supporters before the parliament assembled.

As far as the trial of John Kennedy is concerned, the King's move seems to have been successful. There is no reference to any proceedings against John in the records of the October 1431 parliament, but as he seems to have been accused of some kind of crime against the King, it is likely that Kennedy was tried by a

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204 *ibid.*, l. 75-76.
205 *Extracta*, 233.
206 It may be in connection with the events of 1431 that the crown gained control of the customs of Kirkcudbright. The burgh first renders accounts in 1434, the first surviving records since 1431, and had presumably been under the control of Duchess Margaret before that point (*E.R.*, iv, 558).

judicial committee of the meeting. As John was duly forfeited the King must have overriden any opposition to the sentence from the political community.[207] However, Douglas was forced to accept the removal of his ally and cousin by his experiences of the summer, and others may have resented the treatment received by Kennedy too. If this created an atmosphere of tension at parliament, then this had serious implications for the King and his aims at the meeting.

The King's principal aim at the parliament was to secure a grant of taxation "for the resisting of the King's rebels in the north".[208] It was presumably to increase his chances of receiving this tax that James had released Douglas to allow him to attend the council. The King was facing a crisis in his highland policy and needed the financial and political backing of the estates. Inverlochy had apparently reversed the successes achieved by James in 1429 and the defeat of the two royal lieutenants, Mar and Caithness, with their supporters, was a clear indication that northern forces were inadequate for the destruction of the lordship. To maintain the pressure on the leaders of resistance in the isles and prevent a collapse of royal influence in the north, the King wanted to launch a new expedition. As in 1429 James probably hoped for considerable magnate participation and would, in part at least, raise a paid army. However, by 1431 the King no longer possessed the financial resources to pay these men without fresh taxation. He therefore applied for a "costage" to hire forces to go north.

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207 N.L.S., Ch. no. 16632; Bower states that Kennedy remained in custody after October 1431 and Pluscarden that he subsequently escaped and "exiled himself without return" (*Scotichronicon*, XVI, Ch. 16, l. 75-76; *Liber Pluscardensis*, XI, Ch. v). In 1434 payment for the expenses incurred in Stirling castle was made to John, suggesting he was still in royal custody three years later. The reluctance of the King to release John must indicate his potential for trouble in Carrick (*E.R.*, iv, 591).

208 *A.P.S.*, ii, 20, c. 1.

In 1429 the estates had responded well to a similar crisis in the highlands, but in 1431 their reaction was probably much less favourable. The King's position may have been weakened by the timing of the meeting and effects of this on attendance. Mar and his supporters had been at Inverlochy a month before and were probably not able to attend the parliament.[209] The survivors and many other northern landowners must have been pre-occupied with the local results of the battle, and may not have made the journey to Perth for the meeting. It is conceivable then that men from the southern parts of Scotland predominated at the parliament and, although these areas had participated in the 1429 expedition, circumstances had changed a good deal in the interim.

Most importantly, James was expecting financial support for his efforts in the north. As in 1428 the southern nobles, clergy and burghs were expected to contribute to the King's intervention in areas which were of no immediate concern to them. They had witnessed James' use of the sums raised for the ransom and must have been reluctant to allow a new round of taxation to support the royal attack on the lordship. It was, moreover, the second contribution of the year, the first having been levied from some areas to pay for an embassy to England.[210] The King's return to taxation as a response to his financial needs was not a welcome trend for the estates. The efforts to subjugate the lordship had already taken four years and the King clearly intended to prolong the campaign, relying on taxation to support it. The treatment which Douglas had received during 1431 was hardly likely to reduce the doubts he had about James' ambitions in the north, and March too may have been increasingly disenchanted with the actions of the King.

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209 Mar himself seems to have had a difficult return from Inverlochy (*H.P.*, i, 42).
210 *E.R.*, iv, 654; Balfour-Melville, *James I*, 193.

Although James was successful in his demands for a tax, the effect of the opposition which he experienced placed severe limitations on royal control of the money. Most obviously the tax was not to be delivered to the King. Instead the money was to be placed in a "kist of four keys", with one key being held by each of the four auditors, and the kist being kept in St. Andrews by Bishop Wardlaw and Prior Haldenstone.[211] This method had been used in 1404 by the English parliament to ensure that Henry IV did not appropriate the funds he had received for the suppression of the Welsh revolt.[212] The parallels with James' position in 1431 are obvious. James, like Henry, was clearly not trusted to spend the tax money on a military expedition, and these doubts were the result of the King's treatment of the contribution for the ransom. Although the auditors appointed, Abbots Bower and Hailes, John Fife and James Scrymgeour of Dundee, were all experienced financial officials connected with previous levies, none was a regular royal councillor and their choice is indicative of the estates' attitude.[213] As well as this condition, the statute levying the tax also distinguished between areas which had contributed to the sum for the embassy and those which had not. This distortion may indicate resentment that James was taxing the estates twice in one year and was designed to even out the burden accordingly.

These conditions probably conceal a considerable degree of opposition to James' request for a costage, and, given his

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211 *A.P.S.*, ii, 20, c. 1.
212 G.L. Harriss, *Henry V: The Practice of Kingship* (Oxford, 1985), 146; J.L. Kirby, *Henry IV of England* (London, 1970), 168.
213 Bower and Hailes were auditors of the 1424 tax (*A.P.S.*, ii, 6, c. 10). Bower and Scrymgeour seem to have been connected with the earlier tax of 1431 (*E.R.*, iv, 654). John of Fife was a burgess of Aberdeen who by the end of the reign had considerable financial responsibilities in the north (*E.R.*, iv, 511, 627, 657; v, 10). Bower and Hailes seem to have been chosen in a similarly sensitive role in 1433 (*Scotichronicon*, XVI, Ch. 23).

experiences in the 1420s, they must have raised doubts in the King's mind about the ability of the auditors to assemble the money. The real motivation for the estates' demands is shown by the events which followed the statute on taxation. The tax was granted on 16 October, the second day of the parliament, and immediately following the statute the King adjourned the estates until 22 October.[214] No reason is given for this six day gap but it was presumably when parliament re-assembled that the King "forgave the offence of each earl, namely Douglas and Ross, at the urging of the Queen, bishops and prelates, earls and barons".[215] While the King's reconciliation with Douglas may have been a formal gesture of peace, any political deal with Alexander of the Isles was a major development. Only six days previously James had sought and received money to renew the attack on the lordship and in that space of time he must have decided that this course of action was no longer feasible. Given the conditions placed upon the tax it seems reasonable to assume that it was the unwillingness of the estates to involve themselves in the highland ambitions of the King or put fresh public sums in his hands which forced James to reach a settlement with Alexander and abandon the taxation. The extent of opposition must have been sufficient to persuade the King to abandon his chief goal of the previous four years.

The parliament of October 1431 was an occasion for criticism of the King and his policies, and reveals the transitory nature of James' successes between 1428 and 1431. His use of the ransom money had brought him financial freedom of action in the short term, but at the price of being regarded as untrustworthy in handling tax revenue in the future. Similarly the King's successes in the north had, in

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214 *A.P.S.*, ii, 20, c. 1.
215 *Scotichronicon*, XVI, Ch. 16, l. 73-75.

the long run, drawn him into a struggle which he found impossible to sustain and which created tensions with those areas of the kingdom, not concerned with the lordship, which were expected to contribute to the royal effort. Even in Carrick, James' handling of a local dispute led him into conflict with the Earl of Douglas. By October 1431 the estates showed that they felt the price of royal government was too high and the setbacks which the King encountered in parliament were a direct result of this exasperation with his demands.

7 MAR, MARCH AND ROYAL AMBITIONS IN THE 1430s

The parliament of October 1431 can be seen as a turning point in James I's reign. Up to 1431 the King's relations with the lowland magnates were dominated by his destruction of the Albany Stewarts and the royal attacks on the lordship of the Isles. These both suggest that James' aim was a further extension of his authority within the kingdom. The dismantling or subjection of the MacDonald hegemony in the west would have continued the expansion of the King's power begun with the events of 1424-5. However, the settlement of October 1431 marked only a very limited success in the area with few guarantees for royal influence within the lordship of the Isles. The parliamentary opposition to the King's policy in the north and west also marked the first major setback for James in his relations with the lowland political community and, combined with this he was no longer able to finance royal needs with the ransom money. The failure of his broad ambitions for royal power within Scotland and his insecure financial position had a strong effect on the King's aims after 1431.

During the 1430s James was increasingly active in seeking a stronger financial and political base for his rule in the lowlands. The experience of October 1431 was clearly connected with the King's refusal to call a full meeting of the estates during the subsequent two years.[1] Instead, in 1432, James assembled a committee of the estates to issue legislation and serve as a point of contact between the King and his northern subjects.[2] Moreover, in contrast with the early years of the reign, James did not call his parliaments for the

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1 The first meeting of the estates after 1431 seems to have been the October general council of 1433 to discuss English peace proposals (*Scotichronicon*, XVI, Ch. 23, l 1-5).
2 *A.P.S.*, ii, 20.

purpose of raising major taxation from the political community. Indeed the King seems to have consciously avoided seeking a full tax levy from his subjects after the October 1431 parliament until the last four months of the reign.[3]

As an alternative to this source of money there seems to have been a deliberate attempt by the King to exploit the rights and resources of the crown more fully. By 1435 the amount levied as fines by the chamberlain was £720 compared with £244 in 1426, the only other surviving chamberlain account.[4] The latter account included the fines levied for forestalling the markets which had previously been paid to the burghs themselves.[5] As well as levying more money from the burghs, the King also seems to have been anxious to enforce and extend the financial rights of the crown over the profits of justice in the shires. In 1434 the King threatened to punish those sheriffs not executing the acts of parliament concerning justice to their full monetary value.[6] There seems to have been a similar royal effort to gain sums from feudal casualties during the latter part of the reign.[7] As a final part of this process of tightening royal control of finance, the 1434 exchequer account (the first surviving account after 1431) seems to show money being delivered to the comptroller and other members of the royal household rather than a body of auditors.[8] The King's concentration on these

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3 A payment for an embassy to France was sought but not collected in 1433 and a 'contribution' from individuals financed Margaret's marriage in 1436 (*Scotichronicon*, XVI, Ch. 9, l. 22-24; Ch. 12, l. 41-46). However, in October 1436 James may have requested a tax from the estates to finance renewed warfare against England (R. Weiss, 'The Earliest Account of the Murder of James I of Scotland', in *E.H.R.*, no. LII (1937), 479-91.

4 Duncan, *James I, 17-18; E.R.*, iv, 428-31, 668-71.

5 *ibid.*, iv, 669-71. Remissions for this were issued to the Earl of Orkney, Fleming of Biggar and Bishop Cameron.

6 *A.P.S.*, ii, 22, c. 3.

7 C. Madden, 'Royal Treatment of Feudal Casualties', in *S.H.R.*, LV (1976), 172-94; *H.M.C.*, xiv, app. 3, no. 17.

8 *E.R.*, iv, 554-88.

sources of finance suggests a new attitude towards government which strongly influenced James' relations with his main subjects.

It was probably the behaviour of James in the 1430s which led Bower to say that "the King was disposed to acquiring possessions" and this could be directed with special reference to his treatment of the nobility.[9] After 1431 there seems to have been a deliberate aim of enlarging the royal demesne to extend the landed resources of the crown. In the early part of the reign, James' prime consideration was with the local roles and ambitions of the nobility. The only forfeiture was that of the Albany Stewarts and this was the result of dynastic and political fears rather than simple acquisitiveness. Similarly, Moray and Ross came into the King's possession as part of James' attempt to establish his authority in the north. It was after 1431 that the King seems to have been primarily concerned with the exploitation and enlargement of the crown's lands when dealing with his nobility. In both Mar and March his response to local problems was largely made with this in mind and in both areas he seems to have stirred up trouble as a result.

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9 *Scotichronicon*, XVI, Ch. 13, l. 1.

i. The Death of the Earl of Mar

The area of the political community most directly affected by the events of October 1431 was the north-east. Since 1428 the main local magnate, the Earl of Mar, and his chief supporters had been closely involved in the conflict with the lordship and presumably supported the royal attack on Clan Donald. Mar and his allies may have been absent from the parliament of October due to the results of the defeat at Inverlochy, and the news of James' liberation of Alexander of the Isles may therefore have come as a shock. The release of Alexander in 1428-9 had been followed by a devastating attack on Inverness and fears about a repeat performance may be suggested by the large attendance at the meeting of the Lords of Council in May 1432. Mar himself was present and had already been in contact with the King in January and March 1432, probably as a result of his personal worries.[10] Also at the meeting were Hugh Fraser of Lovat, the sheriff of Inverness, and Donald of Cawdor, the sheriff of Nairn, who, as beneficiaries of the advance of royal influence in Moray would have feared its retreat.[11] Similarly the attendance of an Aberdeenshire contingent including Seton of Gordon, Forbes, Irvine of Drum and Mar's brother and deputy-sheriff of Aberdeen, Andrew Stewart, indicates a concern that the King's release of the Lord of the Isles would expose the north-east to a counter-attack from the highlands.[12]

As has been discussed, James' response to the failure of his highland ambitions was to attempt to preserve the *status quo* of 1431 in the north. The release of Alexander of the Isles and his probable marriage to Elizabeth Haliburton were part of his rehabilitation as a

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10 *R.M.S.*, ii, nos. 199-200; *A.B.Coll*, 555; *Family of Rose*, 130.
11 S.R.O., GD 16/3/140.
12 S.R.O., GD 16/24/4; *A.B.Ill*, iv, 393.

member of the political community with instructions to maintain control of his supporters in the Isles and the north-west and prevent open conflict.[13] It may be connected with Alexander's experiences between 1428 and 1431 that there seems to have been considerable involvement from the lordship of the Isles in Ireland, culminating in a major intervention in Ulster politics in 1433-4.[14] This could suggest that the surplus manpower and aggression of the Isles was being channelled into areas outside James I's authority and that, in consequence, the King's position in the north was unchallenged between 1431 and 1435.

If the Lord of the Isles was not pressing his claim to Ross in the early 1430s, his attitude was probably also based on the strength of the Earl of Mar's position in the north. Between 1432 and 1435, Alexander, earl of Mar, enjoyed an unchallenged dominance in the north and north-east of Scotland. In 1432 he was still acting as the King's lieutenant in the north.[15] This office probably made Mar responsible for the administration of the King's lands in the area and certainly gave him judicial powers in Aberdeen, Banff and Inverness-shires in place of the King. He had similar responsibilities during the Albany governorship, and in 1435 Mar received a payment of £33 3s for his justice ayre held at Inverness.[16] At some point, probably in the 1430s, Mar also appeared as a justiciar in a case which concerned lands in Banffshire, suggesting his powers extended over that shire as well.[17] Mar possibly retained control of Inverness castle and was linked to its repair in 1434-5.[18] The cost of the Earl of Mar's duties as royal

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13 Munro, *Lords of the Isles*, no. 41; 302-303.
14 A. Cosgrove, *Medieval Ireland*, 576.
15 *Family of Rose*, 128-29.
16 *E.R.*, iv, 634.
17 *ibid.*, vi, 264.
18 *ibid.*, iv, 634.

lieutenant were presumably offset by the restoration of his pension of £133 6s 8d from the Aberdeen customs which he had received from the Albany Governors and which was paid again after 1431.[19] This annuity was probably linked to Mar's lieutenancy of the north, and the earl also received gifts of £12 6s 8d and £40 from the King in 1434 and 1435 respectively.[20] The office of lieutenant and the payments connected with it clearly indicate the King's trust in the Earl of Mar as his main representative beyond the Mounth. After 1430 the earl's territorial dominance in the north-east was also assured. The deaths of the Earl of Buchan in 1424 and the Earl of Moray in 1430 meant that Mar was without local rivals. Significantly the widows of the Earls of Buchan and Moray were both attached to Mar's family. Elizabeth Douglas, countess of Buchan married Mar's son and designated heir, Thomas Stewart, in 1427 and Mar himself married Margaret Seton, countess of Moray in 1432, presumably bringing their terce lands and jointly-held estates in the area under the Earl of Mar's control. Therefore Mar's authority probably also extended into Moray, Buchan and other Aberdeenshire lands of the last two holders of these earldoms.

This territorial and political dominance was also reflected in the continued links of Alexander, earl of Mar, with an impressive number of north-eastern landowners. His ties to Alexander Seton of Gordon, whose lordship of Strathbogie dominated the north-western approach to Aberdeenshire, seem to have grown closer during the period after 1425. Gordon had been active with Mar in the campaigns of 1429 and 1431 against the lordship of the Isles and also acted with the earl as a justiciar in Banffshire, probably during the early 1430s.[21] Gordon witnessed the three extant charters of Alexander,

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19 *ibid.*, iv, 536, 567, 616.
20 *ibid.*, iv, 567, 617.
21 *R.M.S.*, ii, no. 127; *H.P.*, i, 41; *E.R.*, vi, 264.

earl of Mar, after 1428 and his son, William Seton of Echt, a landowner in Mar, was present at an inquest of the earl's court in 1435.[22] Alexander Seton was also a vassal of the earl in the barony of Drumblate and in Meikle Wartle in the Garioch.[23] Mar witnessed Gordon's grant of this latter estate to William Forbes of Kinnaldie in June 1432 at "the castletown of Strathbogie" which formed a link between his two main supporters, Seton of Gordon and Alexander Forbes of that ilk.[24]

Alexander Forbes was also present at the 1432 grant to his brother William, and the estates of both men had been increased under the influence of the Earl of Mar in the area. This long-standing connection between Mar and the Forbeses has already been discussed, and the family may have had a traditional role as leaders of the community of the earldom. During the 1430s a member of the family, Alexander's bastard nephew, Thomas (a son of Forbes of Brux) appears as bailie of Mar for the earl.[25] The Earl of Mar also retained close contact with Alexander Irvine of Drum and William Leslie of Balquhairn who were his vassals in Mar and Garioch. Leslie was, in addition, referred to as sheriff of Garioch in May 1435, suggesting his involvement in the running of Alexander's estates.[26] In connection with these contacts it is likely that Mar retained his influence in the burgh of Aberdeen, whose provost Gilbert Menzies appeared as a witness with Mar on the 1432 grant to Forbes of Kinnaldie. The extent of this affinity makes it possible to believe Bower's statement that the Earl of Mar "ruled with acceptance nearly all of the country beyond the Mounth".[27]

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22 *H.M.C.*, Mar and Kellie, ii, 16; *A.B.Ill*, iii, 577, 582; *Spalding Misc.*, iv, 115.
23 *A.B.Ill*, 517; *A.B.Coll*, 555.
24 *A.B.Coll*, 556.
25 *A.B.Ill*, iii, 582.
26 *ibid.*
27 *Scotichronicon*, XVI, Ch. 25, l. 7-8.

However, although the Earl of Mar was politically predominant in the north during the early 1430s, the situation in the area was not entirely stable. By this time the earl was in his fifties or sixties and, although his exploits after Inverlochy show that he was still active, there must have been increasing doubts about the situation in the north-east which would follow Mar's death.[28] During the latter years of the Albany governorship and the early part of James' active reign, the Earl of Mar was pre-occupied with this question.[29] In 1426, the earl had successfully obtained a royal grant of the earldom of Mar to himself as life-tenant and to his son, Thomas Stewart, and his heirs in succession to him.[30] In documents after 1437 Thomas is referred to as earl of Garioch though his father appears to have retained control of both Mar and Garioch.[31] As has been mentioned, Thomas' marriage to Elizabeth, countess of Buchan, also brought John Stewart's lands in Aberdeenshire under Mar Stewart control and as lord of Bonach and sheriff of Inverness he was probably acting as his father's deputy in Moray. By 1430 therefore, it could be assumed that Mar would bequeath his lands and influence to Thomas and that Thomas would similarly dominate the north. The death of Thomas Stewart in late 1430 destroyed this settlement, and after 1431 it must have been apparent that the Earl of Mar's political position would not survive his own death.

The question of the succession to Alexander, earl of Mar after 1430 must have created local anxieties about the situation in both his earldom and the region which would follow his death. These circumstances certainly aroused the ambitions of the families with

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28 *H.P.*, i, 41-42.
29 This is shown by the inclusion of a clause about the succession of Thomas Stewart in Mar's indenture of 1420 with Murdac (Fraser, *Menteith*, i, 261-2).
30 *R.M.S.*, ii, no. 53.
31 *A.B.Ill*, iv, 208.

possible claims to Mar and Garioch. The most important of the claimants was Robert Erskine of that ilk. The Erskine family's claim was based on the marriage between Robert's grandfather and the granddaughter of Gartnait, earl of Mar, and was first pressed in 1390 in the aftermath of the death of James, earl of Douglas and Mar.[32] Although the earldom passed to Isabella Douglas, Robert's father, Thomas Erskine, received royal recognition of his rights to Mar and £100 per year from the Aberdeen customs.[33] More importantly, in 1400 there is evidence that the Erskines were persistently defending their claim. Thomas and Robert Erskine entered an agreement with David, 1st earl of Crawford in which the earl promised support for the Erskines' claim to Mar in the event of Countess Isabella's death.[34] By 1402, Isabella was a widow and past child-bearing age without offspring, and the Erskines were probably recognised as her potential heirs. However, the capture of both Erskines at Homildon, Thomas Erskine's death in 1403-4 and the marriage of Alexander Stewart to Isabella changed the situation.[35] Although Alexander became earl of Mar, Robert's prospects were still good as the succession to Mar, failing any descendants from his new marriage, was settled on Isabella's heirs.[36] Robert may also have held part or all of Garioch as, in 1406, Alexander ratified a charter of his "confederate" Erskine concerning part of the lordship.[37] If Robert held these lands, it suggests that he was the acknowledged heir to Isabella and Alexander in Mar following their marriage.

This situation was altered by the success of Alexander in building up his local power-base and his attempts to gain a

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32 *A.P.S.*, i, 578; *A.B.Ill.*, iv, 165.
33 *E.R.*, iii, 217.
34 S.R.O., GD 124/7/3.
35 *Scotichronicon*, XV, Ch. 14, l. 74; *S.P.*, v, 598; *E.R.*, iii, 606.
36 S.R.O., GD 124/1/129.
37 S.R.O., GD 124/1/130.

confirmation from the Albany Governors and then James I of Thomas Stewart's rights to Mar. This would exclude Robert Erskine from the succession to the earldom and to gain influential backing he negotiated the marriage of his daughter, Janet, to Walter Stewart of Lennox in the early 1420s, a match which Alexander was anxious to block.[38] The link with Walter hardly worked in Erskine's favour after 1424, and Robert was away as a hostage between 1424 and 1427.[39] When he returned, Walter was dead and Mar was the main royal agent in the north and had received royal confirmation of his own and his son's title to the earldom, which excluded Robert from the succession. Following the death of Thomas Stewart it is likely that Robert Erskine would have hoped to renew his claims to Mar, which had apparently been acknowledged in the opening years of the century by both the King and the Countess of Mar.

If Erskine had held lands in Mar he had presumably enjoyed contact with the local community of the earldom, and it may have been on these existing links that Robert hoped to build in the early 1430s. However, by this date any surviving links would have been distant to say the least. Robert's main lands were centred on the lordship of Erskine in Renfrewshire and in Clackmannanshire as lord of Alloa, and his activities since 1406 had probably been spent in these areas of the kingdom. It is therefore significant that, during June and July 1433, Robert Erskine was in Aberdeen. Erskine held the barony of Kellie in Buchan and granted lands in it to William Forbes of Kinnaldie.[40] Robert was accompanied by a number of men from Clackmannanshire including John Bruce of Clackmannan and John Brown of Kennet. Both these landowners and two other men in Aberdeen with Erskine, Thomas Besate (Basset?) and Thomas Straiton witnessed

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38 Fraser, *Menteith*, i, 261-2.
39 *C.D.S.*, iv, nos. 952, 1013.
40 *A.B.Ill*, iii, 141; *A.B.Coll*, 392.

another of Robert's charters concerning his Kellie lands in June 1437.[41] Brown also proved to be a close supporter of Erskine during his attempt to gain Mar after James I's death.[42] Given the undoubted ambitions of Robert Erskine in the north-east after 1435, his presence in Aberdeen was surely linked to his claim to Mar and the political opportunity which would follow the earl's death. The men with him from Clackmannan certainly continued to support his later efforts to that end.

In 1433 Robert may have been hoping to gain support for his claims from local landowners in Mar and Aberdeenshire. His grant to William Forbes is the earliest indication of links between the Erskines and the Forbes family which were fundamental to the political situation in the north-east after 1435. Although William Forbes was to prove to be less closely connected with Robert than his brothers, he was the member of the family with extensive lands in Buchan, and the 1433 grant of lands in that area may be seen as a general indication of contact between Erskine and the Forbeses. The grant to William Forbes was also witnessed by Gilbert Hay of Dronlaw, brother of William Hay, the constable. Gilbert may have been in France during the 1420s but was in Scotland from 1430 and seems to have been the member of the family most active in Aberdeenshire, acting as bailie of the barony of Slains in Buchan in 1436.[43] The importance of his contact with Erskine in 1433 is suggested by his presence with Robert in 1437 at Stirling and his appearance on the assize which gave Erskine sasine of Mar in 1438.[44] The links with

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41 *A.B.Ill*, iii, 142. Another of Erskine's witnesses in 1433, Thomas Wemyss from Fife, was named as a councillor of Erskine in 1439 (*A.B.Ill*, iv, 189-90).
42 *A.B.Ill*, iv, 190-91, 452.
43 *Scotichronicon*, XVI, Ch. 26, l. 6; *Spalding Misc.*, ii, 322 *A.B.Coll*, 393. After 1436 and the deaths of his brother and nephew, Hay of Dronlaw was almost certainly the senior member of the family in Aberdeenshire.
44 *A.B.Ill*, iii, 142; S.R.O., GD 124/1/138.

both the Forbes family and Gilbert Hay which existed after 1435 may well have been forged by Robert Erskine in the years before Alexander Stewart's death, with an eye to his future position in Mar.

Thus, although there is no evidence of direct contact between Alexander Forbes and Robert Erskine before late 1435, it is likely that both men were preparing for the demise of Mar. In May 1432, Forbes had entered into an agreement with Alexander, earl of Crawford, which may provide additional evidence of these plans.[45] The majority of the indenture concerned Forbes' keeping of the earl's lordship of Strathnairn in Inverness-shire and was presumably related to the local uncertainties created by the abrupt end of James' attack on the lordship. However, the Earl of Crawford also granted Forbes life-tenure of the office of sheriff-depute of Aberdeen. The office of sheriff was a hereditary possession of the Lindsays of Crawford and its inclusion in the indenture suggests a wider motivation for the agreement than just defence against the lordship. In 1430 the sheriff-depute had been Andrew Stewart, Mar's brother, and, although Andrew was dead by 1435, he was still alive in 1433 when he appears as bailie of Garioch.[46] The replacement of Stewart by Forbes may therefore indicate some waning of Mar's influence after 1431, though the new sheriff-depute remained a close adherent of the earl.

More importantly, the increase in Forbes' local importance through this office could suggest that Crawford was looking to build up support in the north-east for the period after Mar's death. It is quite likely that Alexander, earl of Crawford, had ambitions in this area as, between 1390 and 1407, his father seems to have been acting as the government's main officer beyond the Mounth. David, first earl of Crawford had been sheriff of Aberdeen and Banff and it was

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45 *A.B.Ill.*, iv, 393.
46 *ibid.*, iii, 334, 582; *A.B.Coll.* 541.

his role in the area which was probably responsible for his elevation to the rank of earl in 1398.[47] David's influence had largely passed to Mar on his death, but it would be no surprise if the second earl of Crawford had ambitions in the north-east during the 1430s. His lack of lands in Aberdeenshire made an alliance with Forbes a useful source of local support to this end. Similarly, the 1400 agreement between the Erskines and Earl David, while no longer of direct relevance, could at least have survived in the form of sympathy for Robert's claim to Mar. This would be especially the case if the marriage between Robert Erskine and Earl David's daughter, proposed in the 1400 indenture, had taken place.[48] Events after 1435 suggest however that, while Crawford and his successors possessed these north-eastern ambitions, their involvement in Aberdeenshire was indirect. They were, though, identified as enemies by the the Gordons who, after 1437, were intent on establishing their own authority in the area.[49] This could indicate that, although the Lindsays were not in a position to intervene actively beyond the Mounth, the links of the Earl of Crawford with Erskine and Forbes led him to support the local ambitions of these two men.

The aspirations of Erskine and Forbes, while, at this stage, not necessarily in opposition to royal policy, required the support of the King if they were to come into force when the Earl of Mar died. However, the existing situation in the early 1430s was based on the 1426 grant from James of the earldom of Mar and the lordship of Garioch.[50] This stated that after the deaths of Alexander and Thomas Stewart, and failing the heirs of the latter, these lands should pass

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47 S.R.O., GD 121/3/7; *Scotichronicon*, XV, Ch. 4, l 50-51; XV, Ch. 3, l 17; *Wyntoun*, iii, 58; *A.B.Ill*, iv, 732; *E.R.*, iii, 126, 618, 639; *R.M.S.*, i, nos. 811-12.
48 S.R.O., GD 124/7/3.
49 A.I. Dunlop, *Bishop Kennedy*, 78-79.
50 *R.M.S.*, ii, no. 53.

to the crown. Thus from 1430 James was faced with the prospect of being the heir to Mar and Garioch as well as the lordship of Badenoch, which Alexander held in life-rent.[51] As in the account of 1438 and those of the 1450s the earldom of Mar appears to have been worth nearly £400 per year on its own, this prospect was not likely to be turned down by a King who wanted to increase his landed resources.[52] However, as early as 1432 James seems to have appreciated the potential difficulties of administering these northern estates effectively. It seems likely that both the King and Mar were involved in the negotiation of a marriage between Elizabeth Douglas, countess of Buchan and widow of Thomas Stewart, and William Sinclair, earl of Orkney, for which a dispensation was granted in August 1432.[53] The countess was presumably in Mar's custody from 1430 to 1432, while Orkney was a close associate of the King whose main lands were in Lothian, Dumfriesshire and Stirlingshire, and who possessed no estates in the north except his earldom of Orkney. It is probable therefore that the marriage was a result of co-operation between James and Mar to provide some kind of local settlement in the event of the earl's death.

This settlement was based around the lands which were held by Elizabeth Douglas or which would pass to her on Mar's death. As has been mentioned, these included Coull in Aberdeenshire, Touchfraser in Stirlingshire and Tillicoultry in Clackmannanshire, but probably not the earldom of Buchan itself, which she held from her first marriage to John Stewart.[54] Moreover, as Thomas Stewart had been infeft with Mar and Garioch in 1426, Elizabeth stood to gain new lands on the death of her father-in-law, the life-tenant of the earldom. In

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51 *ibid.*, ii, no. 76.
52 *E.R.*, v, 54-55.
53 *C.S.S.R.*, iii, 246-47.
54 *R.M.S.*, ii, nos. 36-37; *E.R.*, v, 516.

addition to her terce lands in Mar, the countess also had rights in Garioch which had been granted jointly to her and Thomas, presumably in 1426-7. Although no reference is made to such a grant before 1435, in 1438 there occur two statements that Garioch belonged to Elizabeth because of a grant made by James I.[55] By arranging the marriage of Orkney to the heiress of Garioch, the King probably hoped to give Earl William sufficient influence in Aberdeenshire to police the area effectively and maintain the backing of the local community. At the same time, the crown would possess the resources of Mar proper. The marriage of Orkney and Countess Elizabeth, indicating as it did the local ambitions of the King, may have inspired Erskine's attempts to forge links with the landowners from the area.

In July 1435 Alexander Stewart, earl of Mar, died in his earldom and was buried at the Blackfriars in Inverness.[56] Before the end of the year both the King and the Erskines had begun to press their claims to his estates in the north-east. The evidence extracted by James II from local men in 1457 provides an indication of the crown's position in late 1435. According to this "it was well known that our supreme lord, James King of Scots, lately dead, was in possession of the said earldom of Mar, after the decease of Alexander, earl of Mar" and "that the late Thomas Stewart earl of Garioch died vest and seised ... in the said earldom of Mar and that Elizabeth countess of Buchan, his wife, had a terce of the lands in the earldom of Mar". This terce was presumably granted in 1435 and, according to the 1457 record, the sasine of the lands was passed to the countess by Alexander Seton of Gordon "in accordance with an assize".[57] Possession of the lordship of Garioch was probably given to Elizabeth

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55 S.R.O., GD 124/1/138; *E.R.*, v, 55. For a reference to her terce-lands in Mar (*A.B.Ill*, iv, 208).
56 *C.S.S.R.*, iv, no. 282; *Scotichronicon*, XVI, Ch. 25, l. 1-2; *Extracta*, 234.
57 *A.B.Ill*, iv, 206-212.

at the same time, though it seems that the grant was only made in life-rent. This is suggested by the changes made to the situation in Garioch after the King's death, which seem to have given full rights to Orkney and his wife "notwithstanding any restriction or proclamation made in the contrair" by James I and have allowed them the lands as held by Mar.[58] That James II resumed Garioch following Elizabeth's death in 1451 suggests that he was reversing the 1437 document and that the initial grant was made to Thomas and Elizabeth and the heirs of their marriage.[59]

The attitude of the north-eastern political community to the actions of the crown in Mar and Garioch is not entirely clear. The involvement of Seton of Gordon in the grant of Elizabeth's terce of Mar is interesting. Seton does not appear as an official in Mar in the 1430s. The bailie in 1435 was Thomas Forbes, and before 1438 he had passed the office to his uncle, Alexander, the head of the kindred.[60] Seton of Gordon may have been acting as justiciar in holding the assize but it is significant that neither of the Forbeses, who as bailie of Mar and sheriff of Aberdeen were connected with the grant, gave sasine to Elizabeth. This may indicate that immediately after the death of Mar the crown was aware of Alexander Forbes' hostile attitude to the royal settlement.

It is possible that at this stage Seton of Gordon was also dubious about the new local situation. On 3 November 1435, Gordon witnessed the sale of Forbes of Kinnaldie's lands in Buchan, which he had received from Erskine in 1433.[61] The lands were sold to Gilbert Menzies, provost of Aberdeen, and the transaction was also witnessed by Alexander Forbes, Irvine of Drum and four notable burgesses of

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58 *Genealogie of the Sainteclaires of Rosslyn*, ed. R.A. Hay (Edinburgh, 1835), 90-91.
59 A.I. Dunlop, *Bishop Kennedy*, 185.
60 *A.B.Ill*, iii, 582; *E.R.*., v, 60.
61 *A.B.Coll*, 393.

Aberdeen. Menzies, Forbes, Irvine and one of the burgesses, John Vaus, were all involved in the 1438 assize which found in favour of Robert Erskine as earl of Mar, and as a fortnight later Forbes entered into an agreement with Robert, it seems likely that the Erskine claim was already receiving some local support in the north-east.[62] Seton of Gordon's presence may have been due to his links with his vassal, William Forbes of Kinnaldie, and the attendance of John of Fife, who was responsible for the administration of royal lands in Aberdeenshire, may indicate the presence of other locals not committed to supporting Erskine.[63] Given the immediate sequel, it is conceivable that Forbes was seeking further support from Aberdeenshire for his agreement with Erskine.

Forbes met Robert Erskine and his son Thomas at Stirling on 17 November 1435 and concluded an indenture with the two men.[64] This indenture stated that Alexander Forbes "sal do al his bisines and diligent cure to help and to furthir both with his avis and consale the forsaid lord Schir Robert of Erskin and his sun and ayr forsaid til al thar rychtis of the Erldomis of Marr and Garuioch". In return Forbes was to receive the lands of Auchindoir in Mar or 100 marks within forty days of the Erskines gaining the earldom. As a result of his meetings in Aberdeen during the preceding weeks, Alexander Forbes may also have brought promises of support from other men in the north-east and this indenture was to prove of major political importance in the next nine years.

Forbes' alliance with Erskine was clearly instrumental in giving Robert a degree of backing within Aberdeenshire itself. Although until 1437 this was probably not active support, the links between

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62 S.R.O., GD 124/1/138.
63 John of Fife did witness for Erskine in 1440, however (*A.B.Ill*, iv, 452).
64 *A.B.Ill*, iv, 188-89.

Erskine and Mar families like Forbes and his kindred and Irvine of Drum were of vital importance in Robert's seizure of Mar in 1438. The involvement of Alexander Forbes, his brothers, John of Tolquhoun and Alexander of Brux, his nephew, Duncan Forbes of Auchintoul, Irvine of Drum and Ross of Auchlossin in supporting the claims of a virtual outsider to Mar can be explained by a comparison with the events of 1404.[65] On that occasion, though in worse circumstances than 1435, the "free tenants" of Mar headed by the Forbeses, Leslies and Irvines held a meeting "for the needs of the state and the government of the neighbourhood", at which the earldom was placed in the hands of Alexander Stewart.[66] As in 1404, the men of the earldom in 1435 were seeking to retain the unity and identity of Mar by supporting the claims of an earl who could provide local leadership in the event of renewed trouble from the west. This idea is reinforced by the fact that men like Seton of Gordon, William Leslie and, most significantly, Forbes of Kinnaldie were not closely associated with the Erskine claim after 1435. Unlike his brothers, Kinnaldie's lands lay in Banff and western Buchan, and in Garioch. His links with the Mar community were therefore more distant and, especially after 1437, he was closely linked with Seton of Gordon. In this light Alexander Forbes' indenture with the Erskines represents a promise of support from the head of the most important kindred in Mar. As Forbes had also been a close supporter of the King in the north, this suggests that James' takeover of Mar was unpopular enough in the local community to cause Forbes to oppose royal policy in the earldom.

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65 S.R.O., GD 124/1/138; *A.B.III*, iv, 189-90. Although the lands of John Forbes of Tolquhoun were outside Mar in Formartin, he seems to have remained politically allied to Alexander Forbes who also held lands and connections in that area.
66 S.R.O., GD 124/1/123.

There is no indication, however, of any serious unrest being fomented in the north-east in connection with Alexander Forbes' indenture with the Erskines prior to the King's murder. Indeed for a period between 1436 and 1438 Alexander Forbes was acting as bailie of Mar, and while he may have been appointed after James' death, it would not be surprising if a more important bailie was appointed in 1435 to reflect the lack of an earl.[67] Forbes was an obvious choice, and the King may have hoped to buy his support for the royal takeover of Mar with the office. It may be a further indication of the King's security in the north-east that he appointed the Earl of Orkney as the admiral of the fleet taking Princess Margaret to France in 1436.[68] If James was concerned about trouble in Aberdeenshire, he would not have wished Orkney, who was the closest associate of the King in the area, to be absent from late March until July 1436. This absence must have prevented Orkney from securing any strong hold on the Mar lands before James' death.

It is possible that, during the absence of Orkney on this embassy, the King went to the north-east in person. A payment was made in 1436 for the use of the King in payment for the expenses of the household at Kildrummy.[69] As the sum of £23 6s 8d was given to John Winchester, bishop of Moray, who appears as a regular royal councillor from 1434 until the end of the reign, this supports the idea that James was in Mar with his council. Payments to the Queen and for victuals for the King would also seem to refer to this expedition.[70] As the account of 1438 only ran from Pentecost 1436, it is likely that these items of expenditure occurred near to or after that date.[71] James was increasingly preoccupied with events on

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67 *E.R.*, v, 60.
68 *Scotichronicon*, XVI, Ch. 12, l. 1-3; l. 35-40.
69 *E.R.*, v, 55-56.
70 *ibid.*, v, 56.
71 *ibid.*, v, 54.

the borders from mid-July and was then plunged into the final crisis of his reign, so it seems likely that his visit took place in May or June and that the accounts of the earldom started at the same time.

The King's purpose in going beyond the Mounth was in part political. As in 1426 he was anxious to display his authority in an area which was normally only subject to indirect royal control but which now contained significant crown estates. Potential trouble over the Erskines' claims may also have contributed to James' decision, and Forbes may have been made bailie at this point. If William Crichton, another regular councillor of the King, went north with James there could have been a further political significance to the expedition. At some point before the end of 1438, Alexander, son of the Lord of Gordon, divorced his wife Egidia Hay of Tullibody and married Elizabeth, daughter of William Crichton.[72] In 1441 Alexander and Elizabeth had been married "for some years" and in October 1437 Seton granted lands in Tullibody without reference to Egidia.[73] The political significance of the marriage after James' death was considerable, as Crichton provided his northern kinsmen with central political support against the Erskines and their local allies. Alexander, lord of Gordon also appeared with Crichton in 1439 as surety for the Queen, possibly suggesting his sympathies as regards central politics.[74] The marriage of the younger Alexander to Elizabeth Crichton therefore secured Gordon support for the King's control of Mar, and it is conceivable that it was in 1436 that the match was considered with this in mind. James' close connections with the Crichtons and the obvious value to him of an alliance with

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72 S.R.O., GD 44/4/3. In this charter Egidia Hay resigned her lands to "her cousin" Alexander Seton, son of Seton of Gordon. Egidia was dead by December 1438 (*C.S.S.R.*, iv, no 497).
73 B. Seton, "The Distaff Side", in *S.H.R.*, xvii (1919-20), 272-86, 277; *Spalding Misc.*, v, 260.
74 A.I. Dunlop, *Bishop Kennedy*, 29.

the Setons of Gordon make it plausible that he was involved in the early negotiations concerning the divorce and re-marriage of the Master of Gordon.[75]

However, the King's principal concern in Mar was to ensure that he received the full financial resources of his new estates in Aberdeenshire. The examination of the indentures held by the holders of granges round Kildrummy in 1436 suggests that a close scrutiny of the administration of the earldom was being undertaken by royal officials.[76] On a larger scale, the King's treatment of the fermes and rents of the earldom shows his determination to use the income of these lands to replace the revenue he had received from the taxation for the ransom. In the account of royal lands in Aberdeenshire between July 1436 and July 1437 a memorandum was attached concerning the fermes of Mar.[77] This recorded that on 16 February 1437, less than a week before his murder, the King received 200 angel nobles from the chamberlain of Mar in advance of the audit. However "the whole fermes of the earldom of Mar, from last Pentecost to next Martinmas, from an ordinance of the King's council, were assigned to the burgesses and merchants of Aberdeen for certain debts of our lord King spent in Flanders". This implies that James had borrowed from the burgesses of Aberdeen, presumably during his presence in the north in 1436, on the strength of the new crown lands in Mar and had subsequently extracted part of the revenue of the earldom. The continuation of royal expenditure in Flanders suggests that the King was still buying continental goods and was meeting the costs of his purchases by exploiting the profits and fermes of crown lands.

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75 As the younger Alexander Seton was in France with Orkney in 1436, no divorce and re-marriage can have been carried out while James was in the north (*Scotichronicon*, XVI, Ch. 12, l. 8-9).
76 *E.R.*, v, 60.
77 *ibid.*, v, 10.

Given the local sense of community in Mar and the links of personal service between earl and earldom which had been fully exploited by Alexander Stewart, the King's treatment of the area as primarily a source of revenue must have created a good deal of discontent amongst the tenants of Mar. The King's financial practices in early 1437 can hardly have won him many friends amongst the burgesses of Aberdeen, especially if they had already 'contributed' to the marriage of Princess Margaret in 1436.[78] At least six burgesses served on the assize which backed Erskine's claims to Mar in April 1438 and, although two of these were with Alexander Seton the younger later in the same year, Gilbert Menzies and two other burgesses were all with Erskine in 1440.[79] This suggests a degree of wavering in the burgh after 1437, but also that a number of the main burgesses were prepared to back Erskine and his claims in the same period.

The readiness of a number of local landowners to overturn the political and landed settlement established by the King in Aberdeenshire following James' death shows the unpopularity of the royal administration of the area in those eighteen months. The fighting and political manouvering which broke out in 1437 can be explained partly as the pursuit of territorial claims in the absence of any strong central or regional direction. Ironically, though, this description best fits Seton of Gordon's occupation of Aboyne and Cluny, recorded in the summer of 1437, as these were lands which he claimed through his mother-in-law, Elizabeth Keith.[80] This was despite the fact that the Gordons were supposedly defending the royal position in the area. However, the freedom of Alexander Seton to

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78 *Scotichronicon*, XVI, Ch. 12, l 40-46.
79 S.R.O., GD 124/1/138; GD 44/4/1/3; *A.B.III*, iv, 452. Menzies also received a confirmation of his lands in the barony of Kellie from Robert Erskine at Stirling in June 1437 (*A.B.III*, iii, 142).
80 *E.R.*, v, 9; *S.P.*, iv, 518.

pursue his claims and the general grounds for local trouble were provided by the precarious situation left by the King in which Erskine, Forbes, Orkney and Seton of Gordon were all anxious to secure a greater slice of authority in the north-east.

Trouble started as soon as news of James' death reached the north as payment was made in July 1437 for "custody of Fyvie castle immediately after the death of the King ... so that it was not captured by others".[81] Fyvie was held by the Meldrums as their share of the lands of Henry Preston of Formartin. The other part of the estate was held by John Forbes of Tolquhoun.[82] Therefore, as the Meldrums were connected by marriage to Gordon's son, William Seton of Echt, it would seem likely that the Forbeses were attacking one of the Setons' allies.[83] The speed with which trouble occurred suggests that the situation was already tense in Aberdeenshire, and especially in Buchan and Formartin where Gordon, Forbes and Hay influence all overlapped.[84] Following this outbreak, on 6 May 1437, William, earl of Orkney and his wife had their powers in Garioch increased by the minority government of James II. This suggests that even the main beneficiary of royal patronage in the north-east was dissatisfied with the extent of James' grants.[85]

Payments to both Forbes and Gordon in the July audit suggest that some local settlement had been reached by then, with Forbes occupying O'Neil and acting as bailie of Mar, and Gordon in Aboyne, Cluny and Kintore and in close contact with the government.[86]

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81 *E.R.*, v, 9.
82 *A.B.Coll.*, 352; *S.P.*, iv, 46.
83 *S.P.*, iv, 521.
84 Alexander Forbes had links with the families of Fiddes and Ogston in Formartin (*A.B.Ill.*, iv, 391; *Spalding Misc.*, i, 378). Gilbert Hay, Erskine's main supporter in that kindred was bailie of Slains in the same locality (*A.B.Coll.*, 393). Seton of Gordon's main lands lay just to the west of Buchan, and his influence was clearly strong in the area.
85 Hay, *Sainteclaires*, 90-91.
86 *E.R.*, v, 8-10, 60.

However, the following year the dispute over Mar re-commenced with Forbes and his allies backing the Erskines' claim to the earldom and the north-east entered a political dispute which lasted into the 1450s.

While open opposition to the crown only occurred in Aberdeenshire after the death of the King, it is clear that the situation further west was a source of real problems for James from 1435. The settlement of 1431 had been based on the ability of Mar to keep the Lord of the Isles and his supporters at bay and the awareness of the lord that any attempt to alter the *status quo* would be opposed by the King and his lieutenant. The death of Mar and the lack of any magnate with the influence to replace him made any defence of royal gains in Moray and Ross impossible and made the Lord of the Isles the most powerful figure in northern politics.

Between 1435 and 1437 the King was forced to come to terms with this drastic change in his position. Due to the division of the Mar and Buchan estates, which James had brought about, he could not hope to use the Aberdeenshire affinity of Earl Alexander to maintain his hold on the earldoms of Ross and Moray or the lordship of Urquhart, which he had gained during the campaign against the Lord of the Isles. As a result, the King seems to have sought to reach agreement with Alexander of the Isles during 1436. In that year Thomas Roulle, chancellor of Glasgow, had been employed by James to examine the revenues of Mar, and it seems likely that he carried out "his crossing into Moray for work of the King" about the same time.[87] As Roulle was an experienced diplomat, the purpose of his journey may have been to negotiate with the Lord of the Isles, who was probably already occupying crown lands in the west.[88]

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87 *ibid.*, v, 60.
88 Roulle had been employed regularly in Anglo-Scottish negotiations. Most recently in 1433 (*P.P.C.*, iv, 350).

The nature of this new settlement can be established from later events. On 6-9 January 1437, Alexander of the Isles granted three charters from Dingwall and Inverness as the Earl of Ross.[89] Alexander was subsequently accorded the title in royal documents suggesting that at some point during 1436 the King had resigned Ross to the lord. The January 1437 charters also show the return of MacDonald influence to those areas from which it had been excluded. Alexander had possession of Dingwall and his grant concerning the burgh of Tain was witnessed by Hugh Ross of Balnagown and George Munro of Foulis, his two main adherents from the earldom prior to 1428.[90] More significantly the grant was also witnessed by Donald of Cawdor, who, three days later, was addressed as bailie of Nairn by Alexander.[91] As Donald had been the sheriff of Nairn for James, this shows the change in allegiance necessary to survive the changeover of power in Moray in 1436. Hugh Fraser of Lovat, James' sheriff of Inverness, was less fortunate. Hugh was forced to grant his portion of Glenelg to Alexander of the Isles, and his family spent the 1440s under pressure from the lordship.[92] The effects of the new situation on the two men most clearly associated with the royal administration of the Moray coast suggests the eastward extent of Alexander's influence had already penetrated these areas, which had been free from it since the early 1420s. However, unlike this earlier period, the Lord of the Isles had also gained possession of Inverness, which he maintained into the 1440s.[93]

The King's capitulation to the Lord of the Isles over the earldom of Ross was really no more than a recognition of realities

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89 Munro, *Lords of the Isles*, nos. 23-25.
90 *ibid.*, no. 23.
91 *ibid.*, no. 25.
92 *ibid.*, nos. 24, 37.
93 *E.R.*, v, 191, 265. The town was under Alexander's control from July 1436, when the King's administration of Mar was first recorded.

following the death of Mar. By resigning Ross the King may have been hoping to limit the extent to which the lordship interfered in the north-east and he at least prevented an open clash with the MacDonalds, such as had occurred between 1402 and 1424. The effects of Alexander's influence in Moray suggest, however, that by January 1437 the lordship was extending its power eastwards without royal permission. The exchequer accounts from royal lands in the north between 1436 and 1438 make no reference to lands in Badenoch, which passed to the crown following Mar's death, and this may indicate that the area was outside royal control from 1435. The links during the 1440s between Alexander of the Isles and the MacKintoshes certainly suggest a lack of government influence in the area to the west of Mar, and concern about the security of Mar itself may have prompted the grant of Cults and Abergeldie in Strathdee from James to John Stewart Gorme.[94] John Stewart was Mar's nephew and a man with a strong personal following from Atholl, who therefore possessed similar resources to those of Alexander Stewart in 1404 and may have been expected to defend the south-western approaches to Mar.

The King's agreement with Alexander of the Isles did not prevent the expansion of the lordship after 1435, though it may have contributed to the links between the Earl of Ross and the lowland political community during James II's minority. Ross' appointment as justiciar north of Forth, and his pursuit of lands in the north-east, show this close involvement in lowland affairs, and his connections with the Setons of Gordon may have helped him in this new role.[95] However, the main reasons for Alexander's importance in the north-

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94 Munro, *Lords of the Isles*, nos. 42, 47; *E.R.*, v, 57.
95 Alexander of the Isles was justiciar north of Forth by February 1439 and in 1442 granted Kingedward in Buchan to Seton of Gordon. The two families had already shown themselves to be working together in the late 1430s (Munro, *Lords of the Isles*, nos. 27, 39; A.I. Dunlop, *Bishop Kennedy*, 29).

east after 1437 were the absence of any significant landed rival beyond the Mounth following Mar's death and the open divisions which existed in Aberdeenshire. The rise of MacDonald to this position of authority must be seen as a failure of royal policy in the area. The extensive efforts of the King to reduce the power of the Lord of the Isles had ended with a further expansion of lordship influence. This was, in part at least, the result of James' actions with regard to the north after 1431. The vacant earldoms of Moray and Buchan had not been used as patronage but left in the hands of Mar. Similarly, although the marriage of Orkney to Elizabeth Douglas suggested that Sinclair would be given sufficient resources to control Mar's Aberdeenshire affinity and act as a royal deputy, after 1435 his position seems to have been deliberately limited by the King. James' perception of Mar was not as a focus for the defence of the north-east but as a new source of revenue. The result of this was to fragment local loyalties, creating an extremely unstable situation in Aberdeenshire by the end of the reign. Linked to this, the death of Mar and the division of his lands destroyed the ability of local landowners to resist the expansion of the lordship and created the basis for the conflict in the north-east during the next twenty years.

ii. The End of the Dunbar Earldom of March

There were similarities between the situation in Mar and the one which was faced by the King in the south-east of Scotland during the 1430s. There are strong indications of political competition in East Lothian and Berwickshire throughout the reign, and in 1433 and 1434 it seems likely that James was preoccupied by the threat of major disturbances in the area. Moreover, as with the north-east, the King was ultimately unable to provide a secure settlement of the east march and the area was the scene of continued unrest after 1437.

The roots of these local problems lay in the removal of Black Douglas influence from the south-east in 1424. As we have seen, this local Douglas predominance was based on the 4th earl's control of the Dunbar estates from 1400, when the 10th earl of March was forfeited, until 1409, when he was restored to his lands and titles.[96] After 1409 Douglas' influence survived in the links he had built up with local families like the Humes and Swintons, and in his control of the estates of Coldingham Priory, and the Dunbars were unable to recover their predominance in the area.[97] The death of the 4th earl of Douglas at Verneuil allowed James to exclude the family from any direct contact with Berwickshire and East Lothian for the remainder of his active reign.

The King's attitude to Black Douglas dominance in the south-east may account for the support he received from that family's local rivals, George, 11th earl of March and William Douglas, earl of Angus, during his attack on the Albany Stewarts. However, the

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96 This act of forfeiture is not recorded in the *A.P.S.*, but took place in parliament at Inverkeithing probably in late 1400 (S.R.O., GD 12/40; *E.R.*, vi, 55). The restoration of March was negotiated with Albany and Douglas (*Scotichronicon*, XV, Ch. 21, l. 15-26).
97 S.R.O., GD 12/23; Fraser, *Douglas*, iii, nos. 298, 343, 345; *H.M.C.*, Milne-Home, nos. 1,2; *Cold. Corr.*, nos. xcviii, xcix.

removal of the Black Douglases left the political future of the area uncertain, and local competition to benefit from this power-vacuum was the reason for steadily rising tension in East Lothian and Berwickshire from 1424 onwards. The main landowner in the south-east was George, earl of March, whose estates round Dunbar and in the Merse would seem to provide him with the territorial base for local predominance.[98] The support of families from the south-east, like the Humes and Swintons, for the Black Douglases, and the opposition which the Dunbars experienced from their own vassals and neighbours between 1400 and 1402, when the family were fighting to retain their lands, explains the failure of the Earls of March to compete with the 4th earl of Douglas after 1409. This groundswell of dissatisfaction towards George Dunbar from the Humes, Hepburn of Hailes, Sinclair of Hermiston and others, whose fathers had been killed or captured in 1402 fighting the Dunbars, may have lain beneath the apparent inability of the Earl of March to turn his landed position into political importance during James I's reign.[99] The failure of Earl George to win much committed support beyond his immediate kin and household following reflects the weakness of the Dunbars in the 1420s and 1430s and left them vulnerable to local rivals and royal ambitions.[100]

Between 1425 and 1432 this vulnerability was shown by the failure of March to establish control of the Swinton estates or the lands of Coldingham Priory. On the death of John Swinton at Verneuil

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98 For the extent of the earldom of March see *E.R.*, v, 486.
99 *Scotichronicon*, XV, Ch. 14, l. 69-84.
100 From the men witnessing surviving charters of George, 11th earl of March it would seem that, in addition to his sons, Patrick, George and Archibald, and his brothers, Columba, bishop of Moray, and David of Cockburn, his closest adherents were Dunbar of Biel, his uncle, and Hugh Spens of Chirnside, the earl's steward (S.R.O., RH 6/260, 265; GD 12/26, 27; *H.M.C.*, xv, app. 8, no. 57; Mar and Kellie, ii, 16; Fraser, *Carlaverock*, no. 34).

his estates were inherited by his baby son.[101] The new lord was March's grandson as, in February 1424, John Swinton had married the earl's daughter, presumably to cement a political agreement between a local Douglas supporter and George Dunbar over the lands of Cranshaws in Berwickshire, which Swinton held from Dunbar.[102] The earl's confirmation of the 4th earl of Douglas' grant of Cranshaws to the Swintons from 1401, which occurred in April 1425, was probably designed to show his continued overlordship of the lands and his rights to them while the new lord was a minor.[103] Dunbar retained control of Cranshaws until 1428, when he granted the sasine of the estate to the young lord of Swinton.[104] This may suggest that the earl felt a degree of dissatisfaction over the man appointed as tutor for the Swinton lands, William Wedderburn, a minor Berwickshire lord. Wedderburn received a grant of Cranshaws for four years from the young Swinton's grandmother in 1426, which contradicted March's treatment of this estate and, as late as 1433, Wedderburn was still trying to gain control of the lands of Cranshaws from the earl.[105] On this occasion, March challenged William's right to be tutor and it may be that Dunbar had initially hoped for control of the Swinton lands for himself as grandfather of the new lord.

The significance of this local dispute arises from the support being received by William Wedderburn in opposing Dunbar. William had appeared in the early 1420s as a witness on a charter of William Douglas, earl of Angus, and in 1425 he was at Stirling with the earl during the preparations for the trial of Albany.[106] This latter appearance strongly suggests that he was an adherent of Angus in the

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101 *Scotichronicon*, XV, Ch. 35, l. 18.
102 S.R.O., GD 12/20.
103 *ibid.*, GD 12/23.
104 *ibid.*, GD 12/26.
105 *ibid.*, GD 12/24, 33.
106 *Laing Chrs*, no. 98; *R.M.S.*, ii, 195.

earl's Berwickshire lordship of Bunkle and Preston. These links with William, earl of Angus, may have guaranteed Wedderburn a degree of royal support and in 1427 he received a grant of the lands of Blackadder in the earldom of March from the King.[107] Blackadder was in royal hands due to the bastardy of the former occupant, but James' grant to Wedderburn cannot have been welcome to Dunbar, the immediate superior of the lands. The Earl of Angus' connections with Wedderburn probably mark the beginning of his attempt to increase his power in the south-east. The links between Angus, Wedderburn and the King were an ominous sign of things to come for the Earl of March.

It was William, earl of Angus, who was also responsible for preventing Dunbar from gaining control of the lands of Coldingham Priory. Although Angus held less lands than March in Berwickshire and East Lothian, he possessed the lands and castle of Tantallon and the lordship of Bunkle and Preston, which gave him a landed base in the area. Earl William also had connections with Adam Hepburn of Hailes, John Sinclair of Hermiston and both David Hume of Wedderburn and his nephew Alexander of Dunglass.[108] These men were the earl's vassals and neighbours in the south-east and the first two, at least, were to prove to be political allies of Angus. However, from 1424, the earl's most important asset was the backing of the King, his uncle, which was shown on a small-scale by James' patronage of William Wedderburn. It was this royal support which allowed the Earl of Angus to establish control of the estates of Coldingham Priory in 1428.

In 1424, James had placed Coldingham under his protection and had restored Prior William Drax and the Durham monks. The following year the monks seem to have appealed successfully to the King against

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107 *R.M.S.*, ii, No. 79.
108 *Laing Chrs*, no. 98; *H.M.C.*, xii, app. 8, 174, no. 293; Milne-Hume, nos. 5, 583, 631.

William Wedderburn, who was trying to gain possession of Meikle Swinton, for which he had obtained a brieve of chancery.[109] The monks were still holding the lands in 1433, suggesting that James had prevented Wedderburn from obtaining them.[110] Despite this support, it seems that the actual administration of Coldingham's estates was carried out by David Hume of Wedderburn. Following the deaths of the priory's bailie and sub-bailie, Douglas and Alexander Hume at the battle of Verneuil, it is probable that David continued to carry out that office.[111] However, he had not been formally appointed as bailie in 1425 when he entered into an agreement concerning the office with his nephew, Alexander Hume, the new lord of Dunglass. In this indenture, David was clearly considered to have first claim on the office of bailie.[112] Hume of Wedderburn may only have become bailie in May 1428 and his appointment at that date was more for political than administrative reasons.[113]

Four months before David Hume was made bailie of Coldingham, the local situation had been radically altered as a result of direct royal intervention. In January 1428 the King informed the Prior of Durham, who was the superior of Coldingham, that , due to his involvement "in arduous affairs about the well-being of his royal majesty and many pressing duties, he is not able to be free in any measure to carry out his protection (of Coldingham)". As a result, the Prior, with James' "consent and inclination" appointed William, earl of Angus "special protector and defender" of Coldingham.[114] It seems from this document that the King was using his influence with Durham to delegate his own position as protector of the cell to Angus

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109 *Cold. Corr.*, no. cx.
110 S.R.O., GD 12/22.
111 *Cold. Corr.*, no. cix.
112 *H.M.C.*, Milne-Hume, no. 3.
113 *Cold. Corr.*, no. cxiv.
114 *ibid.*, no. cxix.

and give the earl real powers. In his commission, Earl William was granted rights of justice and administration in the priory's lands in return for his protection of the estates. Despite the recent history of Coldingham Priory, its holdings still represented a considerable amount of property in Berwickshire and gave Angus the potential to achieve the kind of local dominance which the 4th earl of Douglas had established in the area. The King and his nephew may have been pressing for the latter's appointment to this office from late 1426, when Angus promised to resign lands in Berwickshire which were claimed by Coldingham. The formal grant was made in August 1427 and may have been a pre-condition for the earl's appointment as protector of the priory.[115]

The grant of the office of bailie to David Hume in May 1428 may be evidence of doubts about the extent of the power which had been given to Angus. Hume had been unable to gain the office for four years, but received it only four months after Coldingham had appointed a protector.[116] From the respective grants of their offices it is clear that there was an overlap in the duties undertaken by the two men. This may indicate that Hume was to act as Angus' deputy, as his brother had been Douglas' local agent. There were connections between the earl and David, but it seems likely that such a subordinate role would be stated in the terms under which Hume was bailie, as it was for his brother in 1414.[117] Moreover, Hume had sought the office of bailie, which Douglas had held with "gret fees", since at least 1425, and probably expected to be more than just Angus' local deputy.[118] His subsequent tenure of the position makes it clear that David saw his office as independent of outside control

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115 *ibid.*, nos. cxi, cxii.
116 *ibid.*, no. cxiv.
117 *ibid.*, no. xcix.
118 *ibid.*, no. xcviii.

It seems more likely that Hume's appointment in May 1428 was an attempt by Durham Priory to use a man of lesser status as a counter-weight to Angus. In marked contrast to the earl, David clearly satisfied the monks. He retained his office until 1442 while Angus was removed in 1433, indicating both that Hume's tenure was not linked to the earl's position and that he was appointed to balance rather than support the protector.

By 1428 the King's support of Angus had made him the most powerful magnate in the south-east. The reasons for this support have been touched on elsewhere. Angus was a favoured kinsman of the King and a consistent supporter of royal policies, in close contact with James' council. The King's backing of Angus was not unlike his support of Atholl. He was rewarding a major noble whom he trusted with increased influence in one area. With the Earl of Angus in a strong position in the south-east, the King probably hoped to prevent local trouble. To complete the earl's hold on the area, James may have made him warden of the east march in early 1430. He replaced Dunbar, who received the middle march instead. Despite the apparent strength of Angus' position, Coldingham's attitude suggests a distrust of the earl's increased local power which must have been shared by George, earl of March. Although March had supported James in 1424-5 and had probably played his part on the border in 1429 and 1430, his only reward was to see the main fruits of local patronage delivered to the Earl of Angus. Therefore, the King's support of his nephew had, by 1431, sufficiently alarmed other south-eastern landowners to provoke trouble in the area.

The attack on Angus' position in Berwickshire and East Lothian may have begun as early as 1431, when the King already faced problems in southern Scotland. During July 1431 a number of James' councillors were at Hassington, near Hume in Berwickshire, and the

King may have appreciated the need for direct contact between the royal household and an area of real or potential unrest.[119] Until 1431 the King clearly trusted March to carry out the traditional role of his family in defending the border, but the Anglo-Scottish truce of that year may have allowed both March and Angus greater freedom to pursue their domestic ambitions.

However, the clearest evidence for such a dispute comes from an instrument written on 14 and 15 August 1432 on behalf of William Wedderburn, as tutor of the Lord of Swinton. On this occasion, arbitration was taking place over "certain questions and debates between the Earl of Angus and the Earl of March" before a commission of south-eastern landowners at Linlithgow.[120] The nature of this "debate" may be indicated by the fact that Wedderburn was acting to protect Swinton's rights to the lands of Cranshaws. Cranshaws seems to have been possessed by March the following year and it is possible that Angus was protesting against his rival's occupation of the estate in opposition to Wedderburn.[121] As Cranshaws was in north-west Berwickshire close to the lands of both earls in the shire, it was in an obvious area of tension, and Angus would have been anxious to maintain his support for Wedderburn in the case.[122] It is likely that the King was responsible for bringing this local dispute to arbitration as the meeting took place at his new residence at Linlithgow and as James would, of necessity, have been involved in settling a dispute between the two earls. Two of the three arbiters, Dunbar of Biel and George Graham, had links with March, while the other, Hepburn of Waughton, was probably hostile to the Dunbars, but

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119 *Melr. Lib.*, 519-521.
120 S.R.O., GD 12/28-29.
121 *ibid.*, GD 12/33.
122 March held land in Cranshaws and in the nearby Forest of Dye, while Angus' lordship of Bunkle probably extended over the whole of the modern parish and he was thus a neighbour of both March and the Coldingham monks.

despite this balance, it seems likely that the King's support of Angus meant that the dispute was decided in the latter's favour.[123] The next year Wedderburn again sought possession of Cranshaws with royal support, probably as a result of these deliberations at Linlithgow.

The arbitration of August 1432 was almost certainly about more than just control of Cranshaws. It was about the rival influence of Angus and March in the south-east and, whatever James' decision at the meeting, the King was clearly unable to prevent continued disorder or growing opposition to his nephew from the area. March himself may have lost patience as a result of the arbitration, and this could explain the complaint of Robert Young, dean of Dunbar, that, at some point before 27 March 1433, "the Earl of March ... putting violent hands on the said dean within the said college church (Dunbar), wounded him and threatened impetration of the deanery".[124] Young was described as a kinsman of the Earl of Douglas, and it is possible that he was attacked as a supporter of Angus, who seems to have attracted other local Douglas adherents to his side. For March to be confronted with such opposition in his own collegiate church indicates the weakness of his position and explains his increasing frustration.

However, George, earl of March was not alone in his disquiet about Angus' growing local influence. On 20 March 1433, the Prior of Durham issued a letter revoking the commission of the Earl of Angus as Protector of the Priory of Coldingham.[125] In the letter the Prior

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123 Dunbar of Biel was an uncle of the 11th earl of March and was a regular witness of the earl's charters, as has been mentioned. George Graham was a vassal of March and married to the earl's daughter, Euphemia (*S.P.*, iii, 279; *E.R.*, v, 644). Hepburn of Waughton was a kinsman of Adam Hepburn of Hailes and was probably also connected to Angus (*Laing Chrs*, no. 98).

124 *C.S.S.R.*, iv, no. 46.

125 *Cold. Corr.*, no. cxix.

seems to be attempting to placate the King, referring to the prosperity of the cell of Coldingham under his "rule" and "protection", but accusing Angus of mis-using his powers. The earl is said to have "abused his power" and done "prejudicial damage and intolerable oppression to the Prior and Priory of the cell of Coldingham". The nature of this "oppression" may be suggested by the prior's order that "we discharge the said earl and all others with his name and authority from all administration in ... our cell". The earl may well have been using his kin and retainers to run the Coldingham estates, and his close administration and control of the lands and rents may have aroused the hostility of Prior William Drax and David Hume. It is possible that the "damage" mentioned occurred during Angus' dispute with March, but it is most likely that Earl William's removal was the result of political opposition from within the priory.

David Hume's position as bailie of Coldingham was confirmed in May 1432, when local unrest between Angus and March may already have been underway.[126] More strikingly, Hume was made a member of the Durham fraternity on 12 March 1433, only a week before the end of Angus' commission as protector of the priory.[127] The Coldingham monks were therefore tightening their links with Hume while they removed Angus, suggesting that David had been acting in defence of their interests in contrast to the earl. Both Hume and Drax had an interest in excluding Angus from the priory's estates. Hume could be a more effective bailie, while Drax would have a manageable local official. This hostility to Angus, occurring in a situation of tension between the two earls, also suggests a degree of tacit support for George Dunbar.

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126 *ibid.*, no. cxvii.
127 *ibid.*, no. cxviii.

In response to this growing opposition, Angus seems to have used his links with his local supporters and, more importantly, with the King to exert pressure on both March and Coldingham.[128] In the spring of 1433, after a period of five years without action, William Wedderburn renewed his claim to possess the Swinton estates of Cranshaws and Meikle Swinton, held by March and Prior Drax respectively. On 9 April 1433, Wedderburn presented Drax with a letter of tutory under the great seal and asked that the prior recognise the young Swinton as heir in the lands of Meikle Swinton.[129] Whereas in 1425 royal support seems to have allowed Coldingham to retain the lands, in December 1433 the cell was forced to hand them over to Wedderburn.[130] At about the same time Wedderburn renewed his claims on Cranshaws against the Earl of March. March, however, refused to allow Wedderburn to 'borrow' (that is, give a pledge in return for possession of the lands) the estate of Cranshaws, replying that there were 'divers contesting' the rights to the tutory of Swinton.[131] This answer, which ignored the letter of tutory of April that was shown to Drax, seems to have been a stalling tactic on the part of the earl. Although the Swinton inheritance may only be a part of the growing tensions in the south-east, it seems that the King was supporting Angus more actively following the loss of the Coldingham estates by the earl.

The dangers, for the King, of Angus losing control of Berrwickshire were greatly increased by the strategic importance of the area. Angus was warden of the east march and opposition to him

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128 The local support which the earl received in 1433 may be indicated by the men with Angus at Luffness in East Lothian in early July of that year. These men included Hepburn of Hailes, Crichton, Robert Lauder, Haliburton of Dirleton, Sinclair of Hermiston and Sinclair of Longformacus, showing the overlap of crown and Red Douglas support in the south-east (*H.M.C.*, Milne-Hume, no. 631).
129 S.R.O., GD 12/31.
130 *ibid.*, GD 12/34.
131 *ibid.*, GD 12/33.

automatically weakened the local defences of the south-east, which was the most direct invasion-route to Edinburgh. By late 1433 this would have been a cause of real concern to James as clashes between English and Scots subjects on the marches were becoming increasingly common. This was described as "open werre" and "misrule" and ominously there was evidence that the English attacks were ordered by the warden of the east march, the Earl of Northumberland.[132] This accusation gives the distinct impression of government-inspired attacks. It seems probable that this tense and hostile situation continued on the southern border of Berwickshire until at least July 1434, when a commission of array was issued to the English northern counties to assemble an army.[133]

Therefore, while James' support of Angus meant that he was increasingly hostile towards March and Coldingham, the east march was being subjected to English pressure. To the King and many of his subjects this combination of England, Coldingham and the Dunbars of March would have revived old fears. Bower repeats the growing Scots attitude that the Durham monks at Coldingham were saboteurs and spies for England and describes Prior William Drax as a "serpent in the bosom of the kingdom".[134] The treason of Dunbar's father, the 10th earl of March, would not have been forgotten either and, with George increasingly dissatisfied with royal policy in the area, the danger existed of renewed Dunbar co-operation with England. Such co-operation would allow English forces to use Dunbar castle as a base to raid into the Lothians and would bring the prospect of major warfare in the centres of Scottish royal power.

The King's reaction to the threat of trouble was typical. He arrested the Earl of March at Edinburgh castle and sent a force to

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132 *P.P.C.*, iv, 169-178.
133 *C.P.R.* (1429-1436), 359-61.
134 *Cold. Corr.*,253.

seize Dunbar castle from the earl's "keepers".[135] Although Bower gives the date of these events as 1433, it seems more likely that Dunbar castle was occupied in the early summer of 1434 in connection with the growing Anglo-Scottish tension.[136] In the exchequer accounts for 1435, a payment was made for the keeping of Dunbar castle from June the previous year.[137] According to Bower the King dispossessed March in a parliament on 7 August 1434.[138] If this meeting was held specifically to deal with the earl, then March must have been in custody by the end of June, but it would be unlikely that he could have been held from the previous year.

Bower's account makes it clear that James' first move was to secure the earl's person. March was detained by the King in Edinburgh castle to prevent the earl from opposing the seizure of Dunbar. As a result this was apparently carried out with little or no violence. While he remained in Edinburgh, James dispatched a force led by William, earl of Angus, Adam Hepburn of Hailes and William Crichton to occupy the castle at Dunbar. Although Crichton was connected with Angus, in the attack on Dunbar he was almost certainly acting as the King's representative. However, Adam Hepburn was, like Angus, a man who hoped to benefit locally from the King's hostility towards March. Despite being vassals of March, the Hepburns had led the local opposition to the Dunbars between 1400 and 1402 and Adam appears to have been a supporter of Angus and the King in the south-east from 1424 onwards.[139] Following March's removal, both Angus and Hepburn increased their local importance and it is

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135 *Scotichronicon*, XVI, Ch. 24, l 24-31.
136 Though Bower may have believed the seizure of Dunbar took place in the early months of 1434.
137 *E.R.*, iv, 620.
138 *Scotichronicon*, XVI, Ch. 24, l 31-32.
139 *ibid.*, XV, Ch. 10, l 47; XV, Ch. 13, l 19-22.

possible that these two men actively encouraged royal fears about Dunbar's intentions.

James' lieutenants seem to have bluffed their way into Dunbar castle, perhaps in a deliberate repeat of the capture of the stronghold by the 4th earl of Douglas in 1400.[140] The King had sent letters patent with Angus, Hepburn and Crichton, presumably to authorise any actions of the men at Dunbar. The royal leaders seem to have used these letters to persuade the castle to surrender, as Bower states that the "keepers handed the castle over to the royal emissaries without an order from the earl".[141] The ease with which Dunbar castle was captured and the readiness of March to go to Edinburgh to meet the King, directly beforehand, must suggest that no open defiance of James had been undertaken by the earl. Once again the King was taking drastic action to control what he saw as a dangerous local situation. The seizure of Dunbar was, in effect, a surprise attack but, had it failed, it would have created the possiblity of co-operation between March's kin and the English. In the event, however, the King was able to place Dunbar castle in the hands of Adam Hepburn, and the speed of the King's action seems to have prevented any opposition from the rest of the Dunbar family, while March was in custody.[142]

The arrest of March and the seizure of his main castle may be linked with the flight into England of William Drax, prior of Coldingham. Drax's flight was mentioned out of context by Walter Bower as a further example of the treachery of the monks at Coldingham. According to the *Scotichronicon*, Drax brought about the capture of a Scottish knight and sailor, William Alanson, by the

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140 *ibid.*, XV, Ch. 10, l 23-31.
141 *ibid.*, XVI, Ch. 24, l 28-29.
142 *E.R.*, iv, 620.

English, who then hanged their prisoner at Berwick.[143] The incident so angered King James that Drax fled to England and only returned when James was dead. Despite Bower's prejudice against Coldingham, it is likely that there was some truth in the account. Drax was in Scotland until December 1433 at least, so the betrayal of Alanson must have occurred after that date.[144] Drax's flight could, therefore, have occurred at about the same time as the royal attack on March, when the situation of Anglo-Scottish tension may have made the Coldingham monks even more suspect than usual. As both March and Drax had opposed Angus' local importance in 1432-3, the arrest of the earl must have made the prior extremely insecure and possibly led him to turn to English help. James' hostility may have been increased by Drax's action, but it is likely that the monks of Coldingham would have experienced severe royal displeasure anyway. Therefore, during the summer of 1434 the King intervened directly in the south-east to maintain the authority of his chief local supporter, the Earl of Angus, and to prevent the east march from being exposed to English attacks.

From July 1434, the state of "open werre", which had existed on the marches for over six months, seems to have come to an end.[145] The end of this period of Anglo-Scottish tension without any disruptive English advances on the east march was obviously a success for James. However, James was still faced with considerable problems, which the arrest of Dunbar had exacerbated. The King had clearly demonstrated the extent to which he supported Angus in the area, but this risked pushing those local landowners, who were linked to March or feared Angus' ambition, to extreme action. Men like

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143 *Cold. Corr.*, 253.
144 *C.D.S.*, iv, no. 1065; S.R.O., GD 12/34.
145 The relaxation may have come with the appointment of Queen Joan's cousin, Richard, earl of Salisbury, as warden of the east march in July 1434 (*Rot. Scot.*, ii, 287-88).

Dunbar's sons, and his close supporters, such as Hugh Spens of Chirnside, the steward of March, fall into the first of these categories, and David Hume of Wedderburn must have been in the second following the flight of Drax. The King had to establish a local settlement which would satisfy, or could control, these men, but he was also determined to add March's lands to the royal demesne. As was the case in Mar, this goal dominated royal policy in the south-east during late 1434 and 1435. Restoration of George Dunbar, even if no evidence of treason had been discovered, may not have been possible once the King's distrust of the earl had been revealed. James had almost certainly determined on a royal takeover of the earldom from the moment his forces occupied Dunbar castle. He immediately installed Hepburn as keeper, and in the accounts of 1435 there is no distinction between the money he received before and after the crown formally annexed March.[146]

In addition to this, the King must have summoned a parliament to deal with the situation in March before the end of June. This parliament met at Perth on 7 August 1434.[147] At the meeting James probably put forward his claim to the earldom, which may have been based on the possession of March by James' brother, David, duke of Rothesay, between 1400 and 1402. Such a claim was referred to in 1455 by James II's government which was well aware of James I's practices.[148] In 1434 the King must have claimed that he had inherited March, either in 1402 or 1406, and that the restoration of

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146 *E.R.*, iv, 620.

147 *Scotichronicon*, XVI, Ch. 24, l. 31-36. There is no record of this meeting of the estates in the *A.P.S.* which contains only the act of forfeiture passed the following January. It has been suggested that Bower made an error over the date of the meeting but, as he was on the assize for Dunbar in January 1435, he must have possessed close first-hand experience of the judicial proceedings and significantly makes no mention of forfeiture in August. For a gap of six months to have elapsed between the King's seizure of Dunbar and the first legal action also seems too long.

148 *E.R.*, vi, 55, 335.

the Dunbars in 1409 was invalid. The King may also have tried to revive the participation of the current Earl of March in his father's treason as grounds for his disgrace. This suggests that James lacked any evidence of wrongdoing since 1409 by the Dunbars and, according to Bower, March answered the accusation by pleading that "he had received a pardon from the King for his own actions".[149] This pardon had probably been granted by the King in 1424-5, and Dunbar may have produced it in an attempt to undermine James' position and gain some kind of compensation. In this he was partly successful. The King dispossessed Dunbar of the earldom of March on the grounds that, although he had been pardoned, he was to be deprived "on account of his father's actions".[150] Bower makes no reference to a full act of forfeiture and this probably indicates that James simply revived the judgement of 1400.

However, George Dunbar may have received a degree of support from the estates, which encouraged James to reach some kind of settlement with the Dunbar family. Given the nature of the King's attack on George, such parliamentary sympathy would not be surprising. In return for the earldom of March, George was promised the title of Earl of Buchan, which had been in royal hands since the death of John Stewart at Verneuil. As the lands which actually pertained to the earldom of Buchan were minimal and the local area was dominated by the Earl of Mar, this was really a method of allowing Dunbar to retain the dignity of earl. Bower was aware of the limits on the King's mercy, though *Pluscarden* states that Dunbar received a pension of £40 from James in addition.[151] The treatment of Dunbar is consistent with his being deprived of March for his

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149 *Scotichronicon*, XVI, Ch. 24, l. 31-36.
150 *ibid.*
151 *ibid.*; *Liber Pluscardensis*, XI, Ch. vi.

father's crimes, and it seems that no personal charges were brought against George for his activities since 1432.

However, in January 1435, only five months later, parliament re-assembled to pass an act of forfeiture against George.[152] If the King was in full possession of the earldom as a result of the August parliament, it would seem unnecessary to carry out further legal proceedings against Dunbar. It is possible that the King had discovered evidence of the Dunbar family's involvement with England as, prior to the summer of 1435, George's son and heir, Patrick, had fled south.[153] The continued liberty of George and his son suggest, rather, that the links with England came after, and were a consequence of, the act of forfeiture. The King may have wished to establish his legal title to March fully, perhaps in the face of continued doubts about the validity of his actions.

This latter situation may have created additional uncertainty in the already tense atmosphere of the east march. Moreover, the return to the 1400 act of forfeiture was almost guaranteed to arouse local fears which would threaten to turn into opposition to the crown. The nature of these fears may be linked to an item in the 1457 accounts for the earldom of March. This lists a number of holdings occupied by various local families, including Hume of Dunglass, Spens of Chirnside, Dunbar of Biel and the Cockburns which, "because all these lands ... being given to the above people by the late Lord George Dunbar (last of that name) after the forfeiture of his late father, therefore as a result they belong to the Lord King".[154] This may echo an earlier royal claim from the 1430s, an idea which is supported by a similar reference about March in the 1455 account, where the records of 1435 and 1436 are used to question the title of

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152 *A.P.S.*, ii, 23.
153 *Rot. Scot.*, ii, 291; *C.D.S.*, iv, no. 1082.
154 *E.R.*, vi, 335.

Walter Haliburton to lands in the earldom.[155] The original accounts have not survived, but this later reference would seem to show the crown's interest in recording the landed position.

As the landowners named above were obviously still in possession of their lands in 1457, this indicates that no royal action took place in 1434, but not that it was never intended by James. The 1455 use of the earldom of March accounts for 1435 and 1436 may show that James was undertaking an examination of his gains in the area from August 1434. If the King was attempting to extract the maximum revenue from the earldom, he may have considered pressing his claims to those lands granted out by the Dunbars since 1409. Anxiety about such a move from Hume, Spens, Haliburton and others, combined with their existing doubts about royal intervention in the area, may have amounted to a potential threat to James' local position. As a result, James decided to pass a formal act of forfeiture which acknowledged the possession of March by the last earl until January 1435, and would therefore safeguard the holding of lands granted out by the Earls of March between 1409 and that date. Certainly James II's justification conveniently ignores the 1435 forfeiture and, while James II was sufficiently secure to take action, his father may have been prepared to back down rather than antagonise local opinion further. As it would end any lingering doubts about the royal title to March, the King also gained from the forfeiture of George Dunbar.

The act of forfeiture was passed on 11 January 1435, presumably by the committee appointed to carry out the judicial work of parliament. Significantly, this body included Walter Haliburton of Dirleton, one of those threatened by royal claims in the earldom of March.[156] According to Bower, Haliburton's father had "been the

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155 *ibid.*, vi, 55.
156 *A.P.S.*, ii, 22-23. The committee consisted of nine members, three clerics, Abbots Bower and Inverkeithing, and Provost John

intermediary between the Earl of March and the Governor" in the 1409 negotiations for the earl's return, and was rewarded with a grant from March of "forty librates of lands in the town of Birgham to remain perpetually with him and his heirs".[157] Haliburton therefore had a special interest in seeing that the 1409 restoration of March was recognised by the King as valid, and he may have represented the other Berwickshire landowners threatened by royal action. He was the member of this group with the closest links to the King and he also seems to have been on reasonable terms with the Dunbars.[158] By supporting the interests of Haliburton and the other men in the south-east with similar concerns, the King probably hoped to prevent them from forming a basis for Dunbar sympathy in the area.

Whether James was successful in this aim is uncertain. The King had intervened in the south-east to attempt to stabilise an area of major magnate feuding, but by early 1435 the situation was even more unstable. During 1435 and 1436 the limits of James' authority are shown by the extent to which he relied on his local adherents, William earl of Angus and Adam Hepburn of Hailes. It was through these two men and their allies in the east march that the King attempted to run the south-east of his kingdom. James seems to have put Hepburn directly in charge of the earldom of March. Adam held Dunbar castle from June 1434 and probably retained possession of it until it was taken from him by siege in 1445.[159] By 1444 Adam was

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Stewart of Methven, three lords, Stewart of Lorne, Somerville and Haliburton and three burgesses, Spens of Perth, Parkle of Linlithgow and Chalmers of Aberdeen. While some of these men, like Somerville, Spens and Parkle, were royal officials, the inclusion of Bower, Inverkeithing, Lorne and, perhaps, Haliburton may indicate the three estates' involvement in the appointments.

157 *Scotichronicon*, XV, Ch. 21, l. 21-26.

158 He had participated with James in the 1429 highland campaign and was at court on at least one other occasion (*R.M.S.*, ii, nos. 81, 127). Haliburton's son was deprived of the lands at Birgham by James II (*E.R.*, vi, 55).

159 *E.R.*, iv, 460; C.A.McGladdery, *James II*, 36-39..

also acting as Steward of March and it is possible that he received the office in 1434-5 when the King took over the earldom.[160] The former steward, Hugh Spens of Chirnside, had been a Dunbar household official since 1423, and the King would probably not have entrusted March to such a man in the difficult circumstances of 1435.[161] Unlike Spens, Hepburn also had the local standing to run the earldom without an active earl. His lands were largely in March and his vassals included both David and Alexander Hume. These connections would increase the authority of Hepburn as the local royal official. On the other hand, Adam would not exclude royal influence from what was now "the King's earldom of March", and would continue to act as James' deputy.[162]

This may have been the reason for the King's exclusion of William, earl of Angus from March, given the earl's treatment of Coldingham's estates when he was the protector of the priory. However, James was clearly prepared to rely on Angus for the defence of the south-east against internal and external threats. This is obvious from the earl's appointment as warden of the middle march in November 1434.[163] The timing of the grant suggests that the office was taken from George Dunbar. This probably meant that Angus was the warden of both middle and east marches and he certainly held both offices in 1436.[164] The earl's defence of Berwickshire during 1435 makes it likely that he was already responsible for the border to the east of Dumfriesshire by the end of 1434. The removal of March certainly left Angus as the major magnate on the eastern border and

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160 *H.M.C.*, Milne-Hume, no. 601.
161 Spens had held the office since at least 1428 and in 1423 was described as the earl's esquire (S.R.O., GD 12/26, 27; *H.M.C.*, xv, app. 8, 33, no. 57; Mar and Kellie, ii, 16).
162 *H.M.C.*, xii, app. 8, no. 84.
163 Fraser, *Douglas*, iii, no. 70.
164 *H.M.C.*, xii, app. 8, no. 293.

his lordships of Liddesdale and Jedworth Forest provided him with the lands and connections to police the middle march.

It is no coincidence that Angus' most obvious rewards from the fall of March came in the form of increased military and policing duties on the marches. Earl William's partnership with Adam Hepburn from 1434 until 1437 was largely concerned with the physical defence of the King's interests in Berwickshire. The need for such a defence was the result of continued opposition to the crown in the marches for the next two years, which was rendered increasingly dangerous by the renewed hostility of England from the summer of 1435. The basis of this opposition was continued support for the Dunbar family and, as in 1400, the Dunbars were offered active English aid. The coalition which James had acted to prevent in 1434 was, therefore, a reality in the following summer. Although the area was one of potential instability from 1424, this situation must raise questions about the wisdom and effectiveness of the royal intervention in the south-east.

iii. The Road to Roxburgh: Diplomacy, War and the Political Community (1431-1437)

The readiness of the English to take advantage of the vulnerable situation in Berwickshire during 1435 was a product of James' diplomatic efforts since 1431. From the end of that year until his death, the King pursued an active foreign policy, refusing to return to the passive role he played before 1428. This was probably because after 1431, James saw his involvement in European diplomacy as the main outlet for his ambition, as it had been his area of greatest success between 1428 and 1431. In addition the situation in western Europe appeared to be favourable for the Scots. The continuing Anglo-French conflict made James' support an asset to be bid for by both sides. This had already brought James the prospect of a marriage alliance with the French and allowed him to renew the Anglo-Scottish truce on terms which preserved his free hand in European diplomacy.

In 1432 it must have seemed likely that James would achieve further gains from the exploitation of the war in France. As it was forced onto the defensive in France, Henry VI's government was increasingly concerned with the possibility of a 'second front' opening in the north. The response of the English throughout this period seems, however, to have been influenced by the changing political situation in the minority government. In connection with this, it is significant that the English offered major concessions to James in the autumn of 1433, following the return from France of Queen Joan's uncle, Cardinal Henry Beaufort, in June of that year. The Beaufort connection had been employed in early 1429 when the cardinal met James at Coldingham, and in 1433 the English embassy to Scotland was led by Edmund, count of Mortain, King James' brother-in-

law.[165] This embassy seems to have been the first which had the principal objective of a lasting peace between England and Scotland. In return, the English "would make a *de facto* restoration of Roxburgh and Berwick and everything else which they had wrongfully taken from the kingdom of Scotland within a stated period of time".[166] Although these terms were only mentioned by Bower, who wrongly names the English ambassador as Lord Scrope, there are signs from English records that such an offer was being considered before 1433. The possibility of a "final peace" was discussed between James and Cardinal Beaufort in 1429 and was again raised in February 1430.[167] On this latter occasion it was connected with negotiations for a marriage between James' daughter, presumably Margaret, and an English noble, or even the King. Such a marriage was probably only suggested to prevent Margaret's marriage to the Dauphin. However, in 1432, the Bishop of Durham, Thomas Langley, received a number of documents concerning Anglo-Scottish relations. These included the Treaty of Troyes of 1420 between Henry V and Charles VI, which created the dual Anglo-French monarchy, as well as documents from the 1290s. However, most importantly, they included the 1189 deliberations between Richard I of England and William of Scotland, which dealt with the restoration of Roxburgh and Berwick to the Scots.[168] With this in mind, it seems likely that the possibility of restoring their last Scottish strongholds, in return for security in the north, was being considered by the English in 1432, and was offered to James in October the following year.

Given Scottish military aims since 1371, which had centred on the recovery of the remaining English border garrisons, such an offer

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165 *P.P.C.*, iii, 259-65; iv, 178, 191, 350.
166 *Scotichronicon*, XVI, Ch. 23, l 6-8.
167 *P.P.C.*, iv, 19-27.
168 *ibid.*, iv, 127.

could have been expected to receive widespread support within Scotland. Immediately prior to Mortain's departure, in July 1433, the English were making strong efforts to prevent trouble on the marches, suggesting the importance of the count's embassy to Henry VI's government.[169] Mortain and his fellow ambassadors were apparently in Scotland from mid-September until mid-October.[170] James probably met the embassy at Edinburgh and seems to have been interested in the terms offered, as he immediately called a meeting of the estates to meet at Perth. A general council was summoned as the King did not have the forty days required to call parliament. This suggests the anxiety of James to put the English proposals to the political community. He had taken similar action in 1428 when the French alliance had been agreed between the King and Charles VII's commissioners, and this may be evidence that James had decided to make a similar alliance with England.[171] The importance of the situation is further emphasised by the fact that the general council of August 1433 was the first meeting of the estates since October 1431.

The support of the King for the English offer is explicable not just in terms of strategic, military considerations, but in the light of the internal political situation of Scotland in October 1433. James may have hoped that the recovery of Berwick and Roxburgh would add to his prestige and authority within Scotland, showing his ability to regain the last castles in English hands after the wars of independence. At a more practical and local level, the deteriorating situation in the south-east during the summer of 1433 must have encouraged James to welcome negotiations with England. The increasing friction between the Earls of Angus and March and their

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169 *ibid.*, 172-74.
170 *ibid.*, iv, 178; Balfour-Melville, *James I*, 209.
171 *A.P.S.*, ii, 26-28.

local supporters may have resulted in open conflict in 1432-3, and the King would have been anxious to remove the possibility of English involvement in the area. A final peace and possession of the two main English bases on the border would secure this for James, and allow him to settle the feuding in Berwickshire without fear of cross-border intervention.

However, the general council at the Blackfriars in Perth did not share the King's enthusiasm about the English proposals. A description of the two day deliberations on the issue was provided by Bower, who was himself present and active in the course of events.[172] According to this, "In the presence of the King ... a clear reply was given by the prelates of the greater churches and by the magnates of the realm to the effect that they were united in aspiring after peace only as far as they were free to act". This decision was again given when Abbots Bower of Inchcolm and Inverkeithing of Scone were sent to "seek and elicit" the opinions of the estates. This general opposition to the English offer was based on the existing terms of the French alliance" which they asserted had been ... confirmed by the supreme pontiff". Despite this response, Bower states that, "because they could not that day agree on one and the same opinion, and since the day was ending ..., the question was taken up again the next day". On this day debate seems to have been limited to the lords of council, who again favoured the French alliance but were clearly split. At this point Abbot Fogo of Melrose, the King's confessor, interjected in favour of the English proposals but, "following his brief speech ... there was such a wrangle that support for breaking the treaty dwindled away, instead it was agreed that the English were trying in this matter to stir up division in our kingdom".

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172 *Scotichronicon*, XVI, Ch. 23.

This complex series of deliberations described by Bower is the fullest account of the process of parliamentary debate in James' reign, though it only partially reveals the nature of the dispute. The idea that the English proposals enjoyed royal support is suggested not just by the events preceding the council but by the fact that James' confessor was responsible for the last-ditch attempt to win backing for the new alliance.[173] Thus the three stages of the debate, the initial opinion of the magnates and prelates, who may have formed the lords of council, the response delivered by Bower and Inverkeithing, and the renewed debate of the council the following day, represent the attempts of the King to wear down opposition to the peace with England. Bower and Inverkeithing were clearly in the party which opposed James, and the opinion which they delivered may have been the result of unofficial canvassing amongst those not on the council. Both abbots were on the judicial committee which forfeited March and presumably sat on the lords of the council in 1433.[174] The identities of the rest of the councillors can only be guessed at. In 1430 the body included eight bishops, six earls and eleven secular lords, but the 1435 auditors of causes and complaints numbered three clergy, three lords and three major burgesses.[175] However, given Bower's reference to prelates and magnates, the 1430 body provides the more likely parallel for 1433. This body would have been dominated by the earls, and although the clerics, Bower, Fogo and Inverkeithing, were the only men named as speaking, this probably reflects the use of these men as articulate mouthpieces for the major landed lords. Fogo clearly performed this role for the King, but the identity of those supporting the two other abbots is

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173 Fogo was named as James' confessor in 1426 and 1430 (*R.M.S.*, ii, nos. 31, 142).
174 *A.P.S.*, ii, 22-23. Inverkeithing had, however, been the King's secretary in the 1420s (*R.M.S.*, ii, no. 60).
175 *A.P.S.*, ii, 28.

unclear. The "altercatio" which, according to Bower, was provoked by Fogo suggests that James' repeated efforts to win support for his diplomatic volte-face ended in an open argument and the determined rejection of Mortain's offer.

Although Bower relegates the King's role to that of a bystander, there can be little doubt, given other evidence of his character, that James pursued his aim with energy and that it was his determination which forced a second day of debate. He could not, however, override the persistent opposition to his plans. This opposition may well have been based on the reasons stated by Bower in his description of the events at Perth. Firstly Bower was sceptical about the readiness of the English to deliver the castles. He also stated that the English were promising to return lands which they had occupied "wrongly", perhaps implying that the negotiations, by acknowledging English possession of Berwick and Roxburgh and bargaining for it, were unacceptable to the Scots. A similar prejudice certainly applied to the question of the French alliance. The reaction of the estates suggests dogged adherence to this connection despite the scale of the English offer. References to the involvement of the Pope and the University of Paris in sanctioning the French alliance do not refer to the 1428 treaty, but suggest that previous Franco-Scottish ties from 1326 were being raised in opposition to James' policy. In this perspective, to end the wars with England by breaking the link with France was not politically acceptable. This was especially the case, given the favourable terms on which the French alliance had been renewed in 1428.

However, in addition to these general sentiments, there were probably interests which dictated the attitudes of individual families. Most obviously there were a number of families with specific links with France. During James' reign, three Scots, John

Stewart of Darnley, Patrick Ogilvy of Auchterhouse and Hugh Kennedy, had been notable servants of Charles VII and the huge Scottish military involvement in France between 1419 and 1424 probably still had an impact on Scottish opinion.[176] The interest of Bower in the careers of Darnley, Ogilvy and Bishop Kirkmichael of Orléans is an indication of this impact.[177] The attitude of the two most important earls in proximity to the King would appear to be easily fathomed. Atholl would favour a *rapprochement* with England which would bring the prospect of his son, David's, release. Douglas' involvement with France since 1419 and his family's traditional foreign policy leanings would seem to indicate his sentiments. However, Atholl had limited connections with Lawrence of Lindores, who accused Fogo of heresy as a result of his defence of the English proposals, while Douglas was linked to Fogo, through his connection with Melrose.[178] Douglas had also been removed from the marches in 1430 because his relations with his English counterpart had become too close for James. Although the Earl of Douglas participated in negotiations with France in 1434, his apparent failure to recover the lands of Touraine from Charles VII after the death of his father may have altered his attitude to France.[179] Of the other earls, Angus' position in 1433 was probably dominated by south-eastern considerations, which would have made the English proposals seem advantageous in the short-term. Orkney, on the other hand, was, from 1434 to 1436, the King's main agent in terms of the French

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176 Darnley had been constable of the Scots in France until his death at Rouvray in 1429. He was replaced by Ogilvy before the latter was drowned. Kennedy was, as has been mentioned, a mercenary captain in French service.
177 *Scotichronicon*, XV, Ch. 36, l. 29-30; XVI, Ch. 25, l. 25-58; XVI, Ch. 26, l. 1-10.
178 Watt, *Graduates*, 344. Fogo's conintued association with Douglas is shown by the events of 1424, 1426 and 1429-30.
179 Barbé, *Margaret of Scotland and the Dauphin Louis*, 56.

negotiations.[180] As a final point, it seems reasonable to assume that these links, general and specific, with France overrode the desires of the families of the hostages for the return of their kin, which could have accompanied an English peace.

While James seems to have been prepared to revert to his previous policy of maintaining the French alliance whilst inviting English proposals, it is quite probable that the reaction of the estates in October 1433 was, to a large degree, motivated by the King's behaviour. Firstly, there may have been disquiet at James' opportunistic approach to foreign policy. For the second time in five years, James had been prepared to reverse his immediate diplomatic stance when a tempting offer was made to him. In 1428 James had abandoned the hostages and ceased payment of the ransom in favour of an alliance with France which would bring him continental prestige and lands, which was acceptable to the estates. However, in 1433, James' readiness to abandon this treaty unfullfilled and make peace with England was more suspect. The suspicions of the estates may have been fuelled by the involvement of the Queen's Beaufort relatives in the negotiations, which could have raised questions about the real attitude of James to his kingdom's interests, especially as, during the 1430s, the King seems to have been deliberately building up Joan's political importance. Perhaps the most immediate worries about an Anglo-Scottish peace would have been harboured by those landowners in the south who were already at odds with James. Families like the Dunbars and Humes and Prior Drax of Coldingham probably feared that peace with England would remove their main hope of withstanding royal pressure and would allow the King a free hand to establish his authority in the east march. If March and his brother, the Bishop of Moray, had been active in opposing the

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180 *ibid.*; *Scotichronicon*, XVI, Ch. 12, l. 2-3.

English alliance, this could provide another reason why the King's attitude to the family became increasingly hostile in the winter of 1433-4.

The King's attempt to gain the acceptance of the estates for a peace with England was a failure which reflected badly on James and his motives. In terms of foreign policy it did, at least, have the effect of encouraging the French to renew negotiations for Margaret's marriage, although it was not until November 1434 that the embassy which was to discuss this arrived in Scotland.[181] However, it was in the south-east that the most immediate effects of the October parliament were felt. Before October the main breaches of the truce seem to have been committed by Scots, who in early July had raided round Berwick and into Glendale.[182] By January 1434, however, it was the King of Scots who was complaining about "the misrule on the east marches", and especially raids carried out by the Berwick garrison on Paxton and Hilton. James claimed that the English march warden, the Earl of Northumberland, had refused any redress for the raids, and the King urged Henry VI to give power in the area "to persons willing" to keep the truce.[183] In February, though, the English appointed a new keeper of Berwick, Robert Ogle the younger, who was to prove pugnacious in his attitude to the Scots, and in July a commission of array was issued to the northern shires of England, suggesting an atmosphere of continued tension.[184]

This tension, both before and after October 1433, seems to have been limited to the middle and, especially, the east marches of

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181 A Scottish embassy was assembled to go to France in the aftermath of the rejection of the English terms (*Scotichronicon*, XVI, Ch. 9, l. 24-36).
182 *P.P.C.*, iv, 169-171. There were also complaints about the activities of the English garrisons of Berwick and Roxburgh (*ibid.*, iv, 191).
183 *ibid.*, iv, 350.
184 *ibid.*, iv, 204; *C.P.R.* (1429-1436), 360-61.

Scotland. This may indicate that the increase in violence in the east after October 1433 was linked to the political unrest in Berwickshire. In February 1434, James complained that the system of redress for breaches of the truce had broken down.[185] As his agent in this process was Prior Drax of Coldingham, who would flee to England by the end of the year, it is not altogether surprising that there were problems. Although no active links between the Dunbars and the English can be proved before 1435, and were not known to James up to the forfeiture, it seems likely that the English were, at the least, taking advantage of Scottish weakness in the area. The raiding of Berwickshire by government troops from Berwick, backed by the warden and the government, strongly suggests deliberate intervention in the Scottish east march.

The relatively good relations on the west march which James enjoyed with the English warden, his wife's cousin, Richard Neville, earl of Salisbury, would seem to support this idea. By 1434 James had re-instated his nephew, Douglas, as the Scottish warden in the west and during the first half of the year, there were two meetings between Douglas and Salisbury, which contrasts with the breakdown in relations in the east.[186] Therefore, when in July 1434 Salisbury, Cardinal Beaufort's nephew, received a commission as warden of both east and west marches for one year, this may indicate the renewed influence of the Queen's Beaufort kinsmen on Anglo-Scottish relations.[187] The apparent relaxation of tension in the east from July 1434 onwards may have been the result of this and of the removal of George Dunbar and William Drax from active politics at about the same time. If Salisbury was identified with the Beauforts and the

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185 *P.P.C.*, iv, 350.
186 *ibid.*, iv, 268-69. The payment to Salisbury for meeting the King of Scots in 1434 is probably a mistake for the earl's meeting with the King's commissioners (*C.P.R.* (1429-1436), 369).
187 *P.P.C.*, iv, 268-77.

maintenance of the truce on the borders it may be significant that he was discharged from the office in the east a month after the negotiations for Margaret's marriage to the Dauphin had been renewed, in February 1435.[188] In July of the same year, Salisbury also withdrew from the wardenship of the west march.[189] He was replaced in both marches by the Earl of Huntingdon, a veteran of the French wars, and by Henry, earl of Northumberland, who had pursued a more aggressive line as warden in the east. Their appointments may simply reflect changes in the political balance in England, but were to have a profound effect on James' position in the south of his kingdom.

As has already been shown, the King's hold on the south-east was far from secure during late 1434 and 1435, and the area was being policed by his two main local supporters, Angus and Hepburn. Although the forfeitures of the Dunbars in January 1435 had been designed in part to re-assure local opinion about royal aims in the earldom of March, their behaviour during 1435 suggests that the Humes, Spenses and others were still not actively backing James in the area. The act of forfeiture clearly also made the plight of the Dunbar family more desperate, as there seems to have been no question of George Dunbar receiving the earldom of Buchan in exchange for March after January 1435.[190] The location of George Dunbar and his sons, Patrick, George and Archibald during the six months after the forfeiture is not clear, but they were not apparently in custody and may have been on the remaining lands of the family at Kilconquhar in Fife.

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188 *ibid.*, iv, 296-97; Barbé, *Margaret of Scotland and the Dauphin Louis*, 55-56.
189 *C.D.S.*, v, no. 1017.
190 George was called a knight in the act of forfeiture and Elizabeth Douglas was still Countess of Buchan after 1437 (*A.P.S.*, ii, 28; *E.R.*, iv, 54-55).

The Dunbars were probably also in touch with their kinsmen and supporters in Berwickshire and, from February, when Northumberland was re-appointed as warden of the east march, with the English government. Although the first evidence of the plans of the Dunbars comes from July 1435, it is likely that they were hoping to stir up trouble in the south-east from before this date. In this goal they probably enjoyed the backing of the Earl of Northumberland. The Dunbars' efforts seem to have been led by Patrick, the ex-earl's eldest son. On 12 July, the same day as Northumberland was appointed as warden of both marches, Patrick was granted a safe-conduct to go to London suggesting that his efforts were linked to the change in the wardens and that he was seeking support from the English council for his family's position.[191] Although the English appointed an embassy to treat with the Scots on 20 July, there is no evidence that it was sent and, following Cardinal Beaufort's departure for the Congress of Arras at about this time, the English may have deliberately taken the aggressive option and supported Dunbar.[192]

However, two months later, on 10 September, English support for Patrick Dunbar was abruptly halted when a sizeable local force, led by Robert Ogle the younger, keeper of Berwick, was defeated at Piperdean near Cockburnspath by Angus and Hepburn. Bower says that "a total of 1,500 of their border forces (*marchiani*) and castle-troops were captured", and names a Henry de Clenell as one of the English dead.[193] Clenell and Ogle were both Northumberland men, which supports Bower's description of the force as a combination of borderers stiffened by troops from the garrison of Berwick under

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191 *ibid.*, iv, no. 1082.
192 *Rot. Scot.*, ii, 291.
193 *Scotichronicon*, XVI, Ch. 25, l. 16-24. According to Bellenden the English were led by Northumberland and, though this was clearly not the case, it may show a link between the earl and events at Piperdean (Bellenden, *Chronicles*, XVII, Ch. viii).

Ogle's command. However, the force was described in 1436 by King James as a "grete host", and, if Bower's total of English prisoners is accurate, it was too large and operating too far over the border to be seen as just another raid like the attacks on Paxton and Hilton in 1434.[194]

The real purpose of the expedition was connected with the efforts of Patrick Dunbar to establish his position in the area. However, Bower does not mention Patrick or his family in connection with Piperdean, and the King's letter makes no mention of him being at the battle. Instead, James, who was writing to justify Scottish behaviour on the marches after Piperdean, says that Robert Ogle, "with grete host and fere of war upon ordinance as it is said in meyntenying and suppleying of Paton of Dunbar, the Kingis rebell, come in Scotland and made plain foray".[195] This suggests that Ogle was acting in support of Patrick, bringing him supplies and possibly arms to maintain an open rebellion. This aid may have been promised to Patrick when he was in England, and in August or early September he possibly returned to Scotland to assemble support. As Patrick was not with Ogle he may already have been operating elsewhere in the south-east and was, perhaps, waiting for English help in securing a base for his uprising.

In determining the nature of the English invasion, the location of its defeat is significant. Piperdean was twenty miles from Berwick and only three miles from Fast castle, which had been maintained as an English outpost from 1400 to 1420, during the earlier period of exile for the Dunbar family.[196] The English army

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194 *P.P.C.*, iv, 310.
195 *ibid.*
196 *Scotichronicon*, XV, Ch. 21, l 39-44. It was recaptured by the Dunbars on their return to Scotland. However, the castle was clearly in royal hands in 1436-7, as Gilbert Lumsden was paid for defending it (*E.R.*, v, 32).

was, moreover, only eight miles away from Dunbar castle and was probably on the main coastal route through Berwickshire, which would lead directly to the castle. If Ogle's force was equipped with some of Berwick's artillery, it may have been aiming to launch an attack on Dunbar castle, perhaps following a rendezvous with Patrick Dunbar nearer the centre of his family's earldom.

For the English army to have penetrated so far into Scottish territory also raises questions about the defence of the border and the attitude of local families to this upheaval. The English had virtually crossed Berwickshire before they encountered any serious resistance to their progress. The force which then defeated them hardly provides strong evidence of local defence on the east march. As has been mentioned, the Scots were led by William, earl of Angus, and Adam Hepburn of Hailes. While these men were James' chief representatives in the area and held lands in Berwickshire, their role at Piperdean is not an indication of wider attitudes locally. Bower names two other members of the Scottish army, Alexander Ramsay of Dalhousie and Alexander Elphinstone of that ilk, who was killed in the fight.[197] While Ramsay held lands at Foulden and Easter Spott, which were part of the earldom of March, his main estates were at Dalhousie and Kersington in Midlothian.[198] Similarly, Elphinstone's local lands were in Lothian rather than Berwickshire.[199] The growth of Angus' influence in Lothian is reflected by the indenture he concluded with Holyrood Abbey in March 1435, in which he received a pension and in return promised to "help, maintain and support" the abbey.[200] Although different to his position at Coldingham, this must have given him some role in the extensive estates of Holyrood.

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197 *Scotichronicon*, XVI, Ch. 25, l. 16-24.
198 *R.M.S.*, ii, no. 602.
199 *S.P.*, iii, 527.
200 Fraser, *Douglas*, iii, no. 71.

Despite the fact that, of the earl's close local associates, only Hepburn was definitely present, it still seems likely that the Scottish force at Piperdean was raised through his influence.

The lack of any positive evidence makes it unlikely that Angus gained an equal degree of support from the Berwickshire families who had been more closely affected by the tensions in the area since 1432. The English had passed through, or near to, the lands of Hugh Spens, Alexander Hume and David Hume, and it must, therefore, have been difficult for these men to avoid becoming involved in this local conflict. Although there is no firm indication that Spens or the Humes actively joined Patrick Dunbar, the government was clearly anxious to bestow patronage on all three of these landowners in the following year. The Humes received lands from Angus, while Spens was granted land in March by the King.[201] Such patronage was probably either a belated reward for the behaviour of the men in 1435 or an inducement to stay loyal in the open Anglo-Scottish conflict of the following summer. As these men are nowhere referred to on the earl's side at Piperdean, the 1436 grants probably represent the worries of the King about potential trouble-makers. Alexander Hume, David Hume and Hugh Spens were, as we have seen, the men with most reason to fear the success of James and his supporters in Berwickshire. Spens was closely attached to the Dunbars and had lost his office of steward of March to Hepburn on the fall of the family, while both Humes were probably concerned about the Coldingham lands, in which they had a joint interest.[202] This was especially true of David Hume of Wedderburn, the bailie of the priory. His rivalry with Angus and support of Prior Drax had probably lasted since 1428 and must have left him in a vulnerable position after Drax's flight in 1434. David

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201 *H.M.C.*, xii, app. 8, nos. 84, 293; Milne-Hume, no. 5.
202 S.R.O., GD 12/26; *H.M.C.*, Milne-Hume, no. 3.

had received a grant of the office for four years from May 1432, but it was only renewed in May 1437.[203] Its renewal then was probably to do with James' death and the end of Anglo-Scottish hostilities, and the twelve month gap from 1436-7 probably suggests the King's attitude to Hume. Whether David was in control of Coldingham's lands between 1434 and 1437 is not clear, but the hold he exercised on the estate was clearly not secure during this period. Added to these doubts and grievances was the fear of James' claims to the lands received from the Dunbars since 1409 being renewed and, together, such worries make it unlikely that Spens or the Humes committed themselves to Angus. Given their political careers and local goals, their sympathy was probably with Patrick Dunbar, though it is quite likely that they were sitting on the fence until the success of his efforts became apparent.

According to Bower's account, only forty were killed on each side but over 1500 English were captured. This could indicate that Angus successfully ambushed Ogle's men as they crossed the rough ground between Old Cambus and Cockburnspath and, after initial resistance, forced the English to surrender. The earl's destruction of the Berwick garrison and borderers before they could reach Patrick Dunbar, may have prevented a full-scale rebellion in the south-east and perhaps even the loss of Dunbar castle. Following the battle, the position of the Dunbars and their sympathisers is unclear. Men like David Hume and Hugh Spens probably sat tight in Berwickshire until reconciled with Angus and the King before the summer of 1436. After his rebellion, however, Patrick Dunbar cannot have hoped to reach a new agreement with James without a strong bargaining position. The rest of his family must have been similarly afraid of royal displeasure. It seems reasonable to assume that before the end

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203 *Cold. Corr.*, nos. cxvii, cxxi.

of the year, both Patrick and his father had gone to England. Patrick had received a safe-conduct for six months to do so in July and, on 31 October, a similar warrant was issued to "George, earl of Dunbar".[204] It is not likely that George went south with royal permission after the events of the late summer, and, if he had, he would not have used the title of Earl of Dunbar. However, if this represents George's escape following Piperdean, where had he and his supporters been in the seven weeks since the battle? It is possible that, despite the defeat of his English backers, Patrick Dunbar, now actively joined by his father, who would have been under serious suspicion from July, remained in Berwickshire until the end of October. If so, the ability of the Dunbars to do this would further throw into question the extent of royal influence in Berwickshire during 1435, as exercised by Angus and Hepburn. James' letter to the English council in 1436 complains that "the mysgovernance upon the marches in English defaute is so fer furth runyn that it is more likely to be lawbours of wer than of pese or of trewis". The King also argued about Ogle's invasion, saying that "the which foray hath given occasion to Scotsmen to seek their own gudis".[205] This situation of unrest could easily have included the Dunbars, Humes and others maintaining their own positions against James' local officials. However, once in England, the Dunbars seem to have remained there, receiving a safe-conduct for twelve months, beginning on 25 January 1436, in December of the previous year.[206]

It seems likely that James experienced sustained resistance from Berwickshire during 1435. By September this threatened James' control of Dunbar castle and, although Patrick and his father had been forced into exile before the end of the year, the King could

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204 *C.D.S.*, iv, nos. 1082, 1086.
205 *P.P.C.*, iv, 310.
206 *C.D.S.*, v, no. 1019.

hardly feel secure about the ability of his supporters on the east march to prevent further trouble, especially if relations with England did not improve.

Piperdean was a clear provocation to James, representing English intervention in the internal politics of Scotland. However, it did not alone cause the final breach between the two kingdoms. Just over a fortnight after the battle, on 26 September 1435, James expressed a willingness to renew the truce and English commissioners were sent north in November and the following February to do this.[207] However, events on the continent seem to have changed the King's attitude. In September 1435, the failure of negotiations at Arras had led to a Franco-Burgundian alliance, and both participants appreciated the value of Scottish military support.[208] The French ambassadors, who had negotiated the terms of the Dauphin's marriage to Princess Margaret in February, returned to Scotland at this point.[209] They probably also brought renewed requests from Charles VII for a Scottish attack on the borders. Such requests had been made by the French the previous year, and in November a plan of attack against England was drawn up by Charles' new Burgundian allies which included a Scottish invasion of northern England.[210] It was probably not until February 1436 that James decided against renewing the truce with England. In that month the arrangements for Margaret's departure were completed and the French embassy returned to Dumbarton, where the fleet had assembled to escort Margaret to France. James dispatched them with considerable honours, whilst, at the same time, he seems to have failed to see the English commissioners who were seeking to renew the truce.[211] The King may

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207 *P.P.C*, iv, 310.
208 R.A. Griffiths, *The Reign of Henry VI*, 198-200.
209 *Margaret of Scotland and the Dauphin Louis*, 44, 67-72.
210 R. Vaughan, *Philip the Good* (London, 1970), 101-102.

have used the possibility of English negotiations to speed up the activities of the French, but it is more likely that he genuinely wanted the French marriage and the involvement in a European alliance which it represented.

James' decision to allow the truce with England to expire was probably based on questions of diplomacy and prestige, rather than the local situation in the borders. The main royal agent in this area, William, earl of Angus, would not have been free from such considerations, and it may be significant that, on 10 February 1436, the earl granted lands from his lordship of Bunkle to Alexander Hume of Dunglass.[212] This charter included a clause promising Hume compensation for his lands in time of war. While hardly a unique arrangement, this may show local anxiety about an open conflict with England and the doubts of the warden of the east march about his ability to defend his lands in Berwickshire in such a war. Angus may also have been trying to improve his relations with Hume in these new circumstances, especially if Alexander's attitude to the earl in the previous year had been luke-warm or hostile.

The King was, therefore, thinking in terms of war against England from February 1436. Following the safe departure of his daughter for France in March he had an additional link with Charles VII which would have encouraged him to take military action.[213] However, James' attack on Roxburgh castle only took place in August 1436 and there is limited evidence of conflict on the marches before that date. The King may have been waiting for the return of the Earl of Orkney and the escort of 2,000 men which had accompanied Margaret

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211 Barbé, *Margaret of Scotland and the Dauphin Louis*, 77-78; *P.P.C.*, iv, 310-315; *C.D.S.*, iv, no. 1090.
212 *H.M.C.*, xii, app. 8, no. 293.
213 Barbé, *Margaret of Scotland and the Dauphin Louis*, 80-82.

to France.[214] They would add to James' military resources but, more importantly, Orkney would have brought news of Margaret's marriage and other events on the continent. These events included the fall of Paris to Charles VII's forces in April 1436 and the preparations of the Duke of Burgundy for a major attack on the Calais Pale. The Burgundian campaign against Calais lasted the whole of July, and news of the efforts being made by his continental allies may have prompted James into action.[215] The English raised forces of over 15,000 men to defend their continental possessions in the summer of 1436, and James may have calculated that this would reduce their ability to defend their northern border.

In waiting until August before beginning his attack on Roxburgh, James may also have taken the situation on the borders, and especially the east march, into consideration. On 24 July, sasine was given to David Hume of Wedderburn of lands in the lordship of Jedworth Forest, by the bailies of William, earl of Angus.[216] Six days later, the King granted and confirmed lands in the earldom of March to Hugh Spens.[217] These two grants from James and Angus to Hume and Spens in the week before the attack on Roxburgh are clearly of political importance. The favouring of men who had opposed royal ambitions in Berwickshire suggests an attempt at local reconciliation to increase the ability of James and his nephew to defend the east march during a period of open war. If this reconciliation was only negotiated in July, it is possible that the "lawbours of wer", which

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214 The escort included, apart from Orkney, a number of Scots with French associations. These included Alexander Seton the younger, John Wishart and Thomas Colville who had served in France and Maxwell of Calderwood, David and Walter Ogilvy and David Kennedy whose kinsmen had been in Charles VII's armies. The choice of these men was probably deliberate and may show the King's exploitation of these family links with France (*Scotichronicon*, XVI, Ch. 12, l. 1-12).
215 R.A. Griffiths, *The Reign of Henry VI*, 200-206.
216 *H.M.C.*, xii, app. 8, no. 84.
217 *ibid.*, Milne-Hume, no. 5.

James complained of in February, still beset Berwickshire in the early part of the summer.[218] However, with some kind of settlement negotiated with his remaining opponents in the south-east, the King may have felt more secure about launching a major attack on England by the end of July.

Fears about the east march may also have played a part in the choice of Roxburgh castle as the target of this attack. Although it was a natural choice, as an English garrison in Scotland with less defensive resources than Berwick, Roxburgh also lay outside the east march. James may have appreciated the difficulties of commencing a siege with a potentially or actively hostile tract of Scottish territory to the rear. The King's relations with the landowners of the middle march were also to prove of importance during the coming campaign.

Although the Earl of Angus was the warden and a major landowner in the march, James must have been aware that success in his attack on Roxburgh would depend heavily on his relations with his other nephew, Archibald, earl of Douglas, who also held large estates in the vicinity. These relations seem to have improved since 1431. Between late 1431 and 1436, Douglas seems to have kept a low profile to the extent that Hume of Godscroft believed he was in France during this period.[219] The earl was clearly in Scotland but his involvement in central politics was certainly limited. Apart from two appearances at Linlithgow and St. Andrews, and a dispute with Atholl, Douglas' activities seem to have been limited to his own estates and his restored position as warden of the west march.[220] His major base

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218 *P.P.C.*, iv, 310.
219 Hume, *Douglas and Angus*, 256.
220 *R.M.S.*, ii, nos. 199-200; Fraser, *Douglas*, iii, nos. 68, 400; *E.R.*, vi, 245; N.L.S., ADV 20.3.8., 54.

in this role was Newark castle in his lordship of Selkirk Forest.[221] The earl appears, therefore, to have been playing the role which his uncle had tried to force on him from 1424. Whether Douglas appreciated it is not clear and, as will be discussed, he may have been increasingly disenchanted with Atholl. His attitude to Angus' authority in the marches may also have been hostile. Given his experiences during the reign, Douglas was likely to be a man with reservations about the King's policies, and the prospect of a royal army in the midst of his estates would not have been welcomed by the earl.

The doubts of Douglas were probably shared by his neighbours and tenants, but they do not seem to have manifested themselves as a threat to James' plans before the siege itself. The apparent scale of James' preparations make it likely that he would have overridden any local reservations about the coming campaign. The three near contemporary accounts of the siege all lay stress on the extent of the King's preparations. Bower reports that James issued a complete summons of the host, calling on all men between the ages of 16 and 60 with only limited exceptions. He says that there were 200,000 horsemen and many more foot soldiers as well as "cariagia".[222] This term may refer not just to baggage wagons but to James' artillery train, which the *Liber Pluscardensis* mentions was present. *Pluscarden* repeats Bower's figures whilst the English chronicle, the *Latin Brut*, quotes figures of 100,000 to 150,000.[223] Although in 1498 Scotland was reckoned to have a maximum of 120,000 horse ready

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221 Fraser, *Douglas*, iii, nos. 392, 393, 396, 398. The earl also issued charters from Bothwell, Dumfries, Castle Douglas and, once, from Edinburgh between 1432 and 1437 (Fraser, *Douglas*, nos. 391, 397; *H.M.C.*, xi, app. 6, no. 19; S.R.O., GD 119/164).
222 *Scotichronicon*, XVI, Ch. 26, l. 11-24.
223 *Liber Pluscardensis*, XI, Ch. vii; C.L. Kingsford, *English Historical Literature in the Fifteenth Century* (Oxford, 1913), 312-323.

to serve in arms, James' force was probably much smaller than the size quoted by Bower.[224] However, the exaggeration of Scottish accounts may suggest that the army was of larger dimensions than previous Scots hosts. It probably also contained a larger number of archers than was normal in such a levy, and Bower specifically mentions the high expenditure of arrows by the host.[225] The King probably hoped that the combination of archers with his new artillery would lead to the capture of Roxburgh. Given the size of the host there was presumably a large number of magnates present, though evidence on this score is almost entirely lacking. Duncan Campbell of Lochawe was, however, at the siege, and the involvement of an Argyllshire landowner suggests a wide geographical attendance.[226]

Despite the size and equipment of the Scottish host, the siege was, by all accounts, a complete fiasco. James was still at Edinburgh on 30 July but, according to Bower, the siege began on about 1 August.[227] However, after a siege of fifteen days "our men returned ignominiously without achieving their object".[228] The various accounts of the siege give differing reasons for the failure of James' efforts. According to the English sources, James' repulse was because

> Ralph Grey ... then captain of the castle, with 80 men at arms ... resisted the King and his army strongly. And when the King became aware of the arrival of the Archbishop of York, the

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224 *Calendar of Letter, Despatches and State Papers relating to the negotiations between England and Spain*, i, ed. G.A. Bergenroth (London, 1862), no. 210.
225 *Scotichronicon*, XVI, Ch. 26, l. 22. Bower also mentions the temporary success of James' legislation on archery. The return to the spear may have been encouraged by the failure at Roxburgh (*ibid.*, XVI, Ch. 15, l. 1-15; *A.P.S.*, ii, 6, c. 19).
226 *R.M.S.*, ii, no. 571.
227 *H.M.C.*, xii, app. 8, no. 84; *Scotichronicon*, XVI, Ch. 26, l. 11.
228 *ibid.*, l. 24.

Bishop of Durham and the Earl of Northumberland with a force of northerners, he and his whole army of Scots fled.[229]

This account is backed up by English records. These show payment for repairs and munitions for Roxburgh and Berwick during 1435 and nearly £50 was spent on buying guns for Roxburgh alone. During 1436 Ralph Grey received £2,366 for keeping the castle, a sum in excess of his agreed war-rate for the year.[230] This suggests that, unlike Berwick, where there were problems financing the garrison and a danger of desertions during July, Roxburgh was well-equipped and its troops paid when James began the siege.[231] This preparedness probably extended to the machinery for the relief of the castle. The English had been waiting for a Scots attack since May and the speed of their reaction is not really surprising. Northumberland and the three northern prelates had been at Durham since at least 25 July and, although the earl's term as march warden expired on that day causing temporary panic, the same men were appointed to resist the King of Scots besieging Berwick and other northern castles on 6 August.[232] This order was changed to the relief of Roxburgh on 10 August and there was clearly a sufficient force assembled by that date to begin operations.[233] The eighty miles from Durham to Roxburgh were presumably covered during the next five days and brought about the rapid withdrawal of the Scots. Given the state of Roxburgh's defences and the timing of the relief, it is

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229 Kingsford, *English Historical Literature in the Fifteenth Century*, 312-323.
230 *C.D.S.*, iv, nos. 1080, 1083, 1090, 1096, 1098.
231 *ibid.*, v, no. 1030; R.L. Storey, 'Marmaduke Lumley, bishop of Carlisle, 1430-1450' in *Transactions of the Cumberland and Westmoreland Antiquarian and Archaeological Society*, new series, LV (1955), 112-131.
232 *ibid.*, 123-24; *Rot. Scot.*, ii, 294.
233 *ibid.*, 295.

not surprising that the Scots could make little progress in the two weeks of the siege.[234]

However, Scottish chronicles contain hints that the Scots host experienced a worse humiliation than just the army's withdrawal in the face of an English relief force. Bower states that the army was responsible for "rashly and incautiously losing enough shooting equipment and arrows seemingly for the whole kingdom" and *Pluscarden* specifies the losses as "fine, large guns, both cannons and mortars, and gunpowder and carriages and wagons".[235] This might simply indicate precipitate flight, but *Pluscarden* attributes the disaster to "a detestable split and most unworthy difference arising from jealousy".[236] This split may also be connected with the comment in an early sixteenth century version of the *Scotichronicon* that "the Queen unexpectedly arrived and led the King from the army" which caused the rest of the host to abandon the siege.[237]

The nature and extent of any political disputes in the host are clearly of importance in determining the events of the subsequent seven months. As it probably contained the King's main subjects, the host was in itself a significant forum for any magnate complaints. A reference in John Shirley's account of James' murder may provide a clue to the "jealousy" within the host. Shirley states that Robert Stewart, grandson of Atholl, was constable of the King's host at the siege of Edinburgh.[238] In the circumstances it is reasonable to

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234 For a detailed description of Roxburgh castle see *R.C.A.H.M.S.*, Roxburgh, ii (Edinburgh, 1956), 407-11. Major repairs were needed in 1416 but it is not clear whether they had been carried out by the 1430s. The natural strength of the castle would, in any case, have given it considerable protection against assault.

235 *Scotichronicon*, XVI, Ch. 26, l. 21-24; *Liber Pluscardensis*, XI, Ch. cvii.

236 *ibid.*

237 *Scotichronicon*, XVI, Ch. 26, l. 24n. This seems to be the origin of the similar stories in the *Extracta* and Bellenden (*Extracta*, 235; Bellenden, *Chronicles*, XVII, Ch. ix).

238 *James I, Life and Death*, 52.

assume that Shirley means Roxburgh instead of Edinburgh. It would not be surprising if Robert was present in place of his grandfather, and the King could conceivably have appointed the young man as constable for the occasion as both Atholl Stewarts clearly remained on close personal terms with the King.[239] Although the honour would have been appreciated by both Robert and Earl Walter, it could easily have aroused hostility in the rest of the host. Robert was a young man, probably in his twenties, without any major military experience. His appointment, if indeed it was made, must have been a snub for the march wardens, Angus and Douglas, who were presumably subordinate to the constable. Both wardens had some military experience and both had their local prestige to maintain. As Angus had been closely involved in James' activities in the south-east he was probably especially disappointed. Therefore, there may not have been full backing for the siege from the two main southern magnates.

James' reliance on his artillery train may also have been a feature of the siege which the march wardens disliked. As the King had lavished so much money on his guns, it seems likely that he expected them to play a major role in the attack. It was probably as gunners that the "certain Germans" were employed in the siege of Roxburgh by James, and the "master of King's engines", Johannes Paule may also have been a continental expert.[240] The King's trust in such men may have further reduced the importance of Angus and Douglas at the siege. If there were doubts about the King's handling of the siege, they must have increased as time passed without any significant inroads being made on the position of the defenders.

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239 The hereditary constable, William Hay of Errol, died in the summer of 1436 and his son died in November. It is possible that William's death encouraged the King to appoint an acting constable (*S.P.*, iii, 562-63).
240 *E.R.*, v, 30, 32.

These criticisms may be echoed in Bower's statements that the host achieved nothing and wasted its equipment.

The Earls of Angus and Douglas, and their tenants and neighbours in Roxburghshire may have had other reasons for disquiet about the siege, which increased during the first two weeks of August. The presence of an army of, perhaps, 20,000 men in the vicinity of Roxburgh and Kelso must have put considerable strains on the local community. The host must have drawn its supplies from the surrounding lands and, as it was harvest-time, may have stripped local fields. Such practice probably led to hostility towards the army. It may be connected with this area of tension that in late 1436 and early 1437, the King was supporting attacks on two members of the Rutherford family. On 3 May 1437, James II's government granted Walter Scott the lands of Wooden in the lordship of Eckford in Roxburghshire.[241] This grant was based on a declaration of James I shortly before his death, and was in return for the capture of Gilbert Rutherford by Walter. In addition, Scott of Buccleuch killed William Rutherford, the lord of Eckford, at some point in 1436.[242] While this may be a private feud, the King clearly had a strong interest in backing Walter Scott, and it is more likely that the latter was acting as James' agent in the matter. Such royal hostility at this point in the reign had probably been incurred by William Rutherford and his, otherwise unknown, kinsman, Gilbert, as a result of events at Roxburgh in August 1436.

The Rutherfords were not natural opponents of royal interests in the area and, as we will see, they enjoyed links with James and his local supporters. It was probably not a case of border ambivalence towards the attempt to take Roxburgh, as the locality had suffered in

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241 Fraser, *Buccleuch*, ii, no. 34; *R.M.S.*, ii, no. 201.
242 *S.P.*, vii, 368.

1433-4 from the raids of the garrison. Moreover the "lesser dwellers of Teviotdale", possibly including the Rutherfords, had taken Jedburgh castle from the English in 1409.[243] It seems more likely, therefore, that the dissatisfaction of William Rutherford occurred after the arrival of the King's host at Roxburgh. William's lands lay at Eckford, about four and a half miles down the Teviot from the castle, and this is surely significant. This would place his estates well in range of foraging parties from the host. The effects of such foraging would have been exacerbated by a food-shortage the previous year which, according to Bower, caused greatly inflated food prices in Jedforest and Teviotdale.[244] In 1436, as a result, reserves of food and money were likely to have been low in the country around Roxburgh, which would greatly intensify hostility towards the exactions of the host.

Although William and Gilbert Rutherford seem to have been attacked in isolation by the King at the end of the year, they were probably not alone in grievances against the army prosecuting the siege. William's brothers also possessed lands which were vulnerable to foraging. The head of the family, James Rutherford, held estates to the west of the castle, while the youngest brother, Nicholas, had gained lands at Makerston on the Tweed and to the east of Roxburgh at Yetholm. Moreover, William's brothers were closely connected with major local landowners. Both James and Nicholas witnessed charters of the Earls of Douglas and Angus during the reign, and Nicholas had probably built up his position as a consequence of his links to the latter.[245] In late July 1436 he was bailie of Angus' lordship of Jedworth Forest and the lands he held at Yetholm and Makerston had

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243 *Scotichronicon*, XV, Ch. 21, l. 1-3; *E.R.*, iv, 115; *P.P.C.*, iv, 191.
244 *Scotichronicon*, XVI, Ch. 26, l. 61-63.
245 Fraser, *Douglas*, iii, nos. 393, 396.

been granted to him by the King, who may have been supporting him as a local adherent of the earl.[246] Douglas and Angus were possibly affected directly by the demands of the host. Douglas' lordship of Sprouston and Angus' lands of Jedworth Forest may both have suffere and, apart from the Rutherfords, Douglas' close supporter, Andrew Kerr, held lands at Primside and Altonburn in the vicinity.[247] The increasing exasperation of these men with the lack of success achieved in the siege, coupled with the damage being done to their lands, may have provided the "detestable split" in the host.

However, the King's reactions to these grievances only went to extremes in the cases of William and Gilbert Rutherford, who seem to have been pursued at James' instigation. Douglas and Angus do not appear to have suffered following the siege, though given the state of the borders, an attempt to punish them would have courted disaster. Both James and Nicholas Rutherford were also not associated with their brother's fate and seem not to have opposed it. Nicholas continued to be involved in the defence of the marches in 1436 and 1437, while James witnessed a grant of lands to his brother's killer, Walter Scott, in March 1437.[248] This suggests that William and Gilbert had taken action which put them beyond the pale, both in their kinsmen's eyes and those of the King, and it may be significant that, unlike his brothers, William Rutherford lacked close ties to the southern earls. Lacking such contacts, William and Gilbert may have resorted to independent action when faced with the depredations of the host. Whether this amounted to violence against the host or even to aiding the English and contributing to the

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246 *H.M.C.*, Milne-Hume, no. 5; *R.M.S.*, ii, nos. 50, 51, 160.
247 Kerr held these lands from Douglas (Fraser, *Douglas*, iii, nos. 388, 393).
248 *E.R.*, v, 30; Fraser, *Buccleuch*, ii, no. 33. This grant was from William Crichton further emphasising the fact that there was no clash between the King and his advisers and James. By 1439 James was bailie for Crichton in the lands of Grahamslaw (*ibid.*, ii, no. 36).

shambles of the Scottish retreat is not clear, but the King's hostility to the men suggests the seriousness of their offence.

In any event, growing friction at Roxburgh between the border landowners and the rest of the host may have made the King feel increasingly insecure. This could be connected with the tradition that James departed hurriedly from the siege on the advice of the Queen. It is tempting to see del Monte's statement of the following year that James "had fled wretchedly and ignominiously" from the English as a contemporary reference to this.[249] The early sixteenth century version of this event was elaborated by Bellenden into a conspiracy by Atholl against the King, which the Queen discovered. Despite a reference in the *Liber Pluscardensis* to previous plots against James there is no real evidence to suggest a "Traitors in the Camp" scenario as a preliminary to the events of 1437.[250] The descriptions of Bower and *Liber Pluscardensis* do, however, suggest a precipitate withdrawal which abandoned the royal artillery to the English. The sixteenth century version of the *Scotichronicon* and the *Extracta* both have James leading this rout on the advice of the Queen but, whether or not this is true, the most likely cause of the retreat was news of the approach of the English army.[251] However, in 1452, James II granted Duncan Campbell of Lochawe 20 marks' worth of lands in Argyll for "service to the late King at Roxburgh castle at the time of the siege of the same".[252] The reference to this service, remembered by James II after sixteen years and at the time when he was rewarding the captors of his father's killers, suggests that Campbell had performed some dangerous duty for the King. As

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249 R. Weiss, 'The Earliest Account of the Murder of James I of Scotland', in *E.H.R.*, no. LII (1937), 479-91, 485.
250 Bellenden, *Chronicles*, XVII, Ch. ix; *Liber Pluscardensis*, X, Ch. ix; N.L.S., MSS 14238, G. Wilson, 'Traitors in the Camp or The Death of the King' (1853).
251 *Scotichronicon*, XVI, Ch. 26, l. 24n; *Extracta*, 235.
252 *R.M.S.*, ii, no. 571.

there is no indication of an attempt to assault Roxburgh, it is possible that Duncan had been involved in the escape of the King, during the break up of the host as the English approached.

Such an end to the siege would account for the descriptions of the events at Roxburgh by the chroniclers and for the political backlash which James was to experience in the autumn as a result of the failure of the expedition. To some extent, James was merely reaping the fruits of his handling of both foreign policy and the politics of southern Scotland. In the former he had shown himself to be flexible to the point of untrustworthiness. The political community clearly had reservations about his diplomatic methods in 1433, and these may have had some bearing on events at Roxburgh. James had also clearly placed the desire for international prestige above the local instability of the marches in 1436, which made peace a more sensible option. The King's handling of relations with his marcher lords showed a consistent desire for advances in royal power and profit. His backing of Angus in the south-east had escalated into an attempt to intrude royal influence into the area. The local disorder in the east march that followed royal intervention cannot have been lost on the men of the middle march when James' expedition against Roxburgh was being planned. The subsequent doubts of local men during the siege were probably based on fundamental misgivings about the King's ultimate aims in the area.

However, Roxburgh had a greater significance than just the political balance in the south or the King's decision to go to war in 1436. James' determination to capture Roxburgh was clearly a matter of public record. His symbolic preparations for the reconquest of the castle seem to have included the creation of a Marchmont herald,

who was paid from 1436.[253] This act was generally associated with the addition of new lands to the crown and, in conjunction with the legend Marchmont, which appeared on the royal signet from this point, was a sign of his personal responsibility for the coming campaign.[254] In this light, the King could not have escaped with his prestige intact. The siege had failed and the King had given up his expensive artillery to the English without a fight. In political terms too, the events at Roxburgh had been a disaster. James had not been able to prevent dissent and factional dispute, and the cohesion of the army had collapsed. The result of this failure was only to be revealed in the growing political crisis of the autumn, but the basic effect was to call James' prestige and personal authority into question for the first time since 1424. Until Roxburgh, James' personal intervention in politics had repeatedly proved decisive. Outside parliament his own involvement in an area of tension had produced success in the short-term sense. After Roxburgh this image of personal power could not be so easily maintained, and James was to experience the results of his failure.

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253 F.J. Grant, *Court of the Lord Lyon*, Scottish Record Society (Edinburgh, 1946), 3; *E.R.*, v, 38.
254 Balfour-Melville, *James I*, 230.

8 THE ASSASSINATION OF JAMES I

i. "The Dethe of the Kynge of Scotis" - The Development of the Murder Myth

The murder of James I at the Blackfriars in Perth in February 1437 attracted widespread attention from contemporaries and excited the interest of later historians, novelists and dramatists. Most significantly the assassination provoked a greater number of contemporary foreign accounts than any other event in fifteenth century Scottish domestic politics. English, Burgundian and French writers all produced versions of the murder in the forty years after James' death. This was probably due in part to the King's links with these states. He was, after all, tied by marriage to both France and England and had strong personal trading connections with Burgundian Flanders as well as being an ally of Burgundy in 1436. As a result, his murder would have been of great interest in the courts of Western Europe. In addition, the violent death of a King at the hands of his own subjects was a theme with special appeal to the writers and audiences of the fifteenth century. Between 1433 and 1438 the English writer, John Lydgate, translating earlier works by Boccacio and Laurent, had written a major poem entitled the *Fall of Princes.*[1] This dealt with the changes of fortune which had brought down rulers from Biblical times onwards, a theme which was recognised to apply to immediate political events as well as past history. James' own fall was a prime example of this idea of the "mutability of fortune", which could destroy princes at the apparent height of their power and, in writing about the murder, the contemporary chroniclers were

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1 *Lydgate's Fall of Princes*, ed. H. Bergen, 4 vols (Washington, 1923).

attracted by the combination of this "sodeyne fall" and the heinous penalties suffered for the crime of regicide.[2]

The earliest narrative account of the murder and its background occurs in a news letter written by the papal collector of taxes in England, Piero del Monte.[3] Del Monte's letter to the curia concerning James' death is dated 28 February 1437, only a week after the murder. Although, unlike the other versions of the assassination considered here, del Monte's account is part of government correspondance, its length and style class it with the other chronicle and narrative sources for the murder. The main advantage of the del Monte letter is that it provides an account of the crisis of 1436-7 written as soon as the news was known in London. In addition, del Monte claims that "I have not followed common opinion or various rumours of men".[4] Instead he claims to have compiled his account from official letters and especially from Cardinal Beaufort, Queen Joan's uncle. Del Monte was almost certainly in contact with Beaufort and other members of the English council and may also have been aware of the situation in Scotland from the Bishop of Urbino, acting, at that time, as papal legate to James I.

However, while valuable as an account written so soon after the murder, del Monte's letter is flawed for the same reason. As well as being too close in time to events on 20-21 February, the letter is also too far removed from Scottish politics. As a result the account is lacking in detail. Even the King and Queen are not named and neither the spokesmen for the estates, the murderers or the chamberlains who deserted James are identified by name. Similarly

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2 W.F. Schirmer, *John Lydgate* (London, 1961), 226; R. Chapman, 'The Wheel of Fortune in Shakespeare's Historical Plays', in *Review of English Studies*, New Series I (January 1950), 1-7.
3 R. Weiss, 'The Earliest Account of the Murder of James I of Scotland', in *E.H.R.*, LII (1937), 479-91.
4 *ibid.*, 491.

the location and dates of the parliament and murder are not included in the letter. These were presumably left out by either del Monte or his English sources as unnecessary given the lack of interest in the factions involved in Scottish politics and the purpose of the Italian's whole work. This purpose was to relate the King's treatment of the church and the legate in 1437. Del Monte claims that his treatment was hostile. Therefore the letter opens and closes with condemnations of James' decision to tax the church and of his detention of the legate. In between, the account is dominated by the King's attempts to raise the tax and by a long speech put into the mouth of a spokesman for the estates. These events are said to have occurred some months earlier and the murder itself is dealt with comparatively briefly and in simple prose relative to the classical allusions and set-piece discourses of the earlier part of the account. The hostility of del Monte to James' actions can hardly have been gathered from either the cardinal or his niece, and by 28 February even the legate was speaking favourably about the late King.[5] It also seems unlikely that del Monte composed the opening part of the letter in the short time available between news reaching London and 28 February. Instead it is possible that del Monte had already written one of his "long letters on political matters written in choice humanistic Latin" concerning the King's clash with the legate and parliament and, on news of the murder, merely inserted a brief account of the event and adapted his moralistic conclusion.[6] The probable invention of the set-piece speech of the parliamentary spokesman which allowed del Monte a forum for his literary skills must also affect the value of his letter as a source for the murder.

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5 *Copiale*, 146-47.
6 R. Weiss, 'The Earliest Account of the Murder of James I of Scotland', in *E.H.R.*, LII (1937), 479-91, 481.

Despite the faults, del Monte's account is a unique source of information and can be valuable in conjunction with other versions of the murder. Firstly he connects the assassination with the attempts of James to raise a tax to cover the renewal of the war against the English following his humiliating defeat the previous year.[7] Secondly he states that the King was opposed by the estates, possibly led by an elected speaker, whom he overrode by force.[8] Finally the account of the actual murder includes elements which re-appear in other sources. The murderers are helped to enter the palace at night by some of the King's guards and, as in different sources, James was wounded but continued to resist before being killed with "many lethal wounds".[9] These important links with later accounts give a degree of credibility to del Monte's claims about his sources. He could conceivably have seen a report of the murder as it was understood in the week after 21 February and he may have incorporated this with an earlier account of the King's behaviour towards the church in late 1436 and early 1437, perhaps sent to him by the Bishop of Urbino.

As the most consistently accurate account of the reign, the *Scotichronicon* is obviously of value to the understanding of the murder. Walter Bower's version of events was probably written between 1443 and 1449 and it seems likely that it is the only murder source by a Scotsman who was in the kingdom in 1437.[10] The general reliability of Bower and his first-hand knowledge of Scottish politics have already been demonstrated but, in dealing with the murder, his proximity to events and the attitude of those participants still alive in the 1440s seem to have led him to write an overcautious version of the King's death. The *Scotichronicon* only

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7 *ibid.*, 484-85.
8 *ibid.*, 486-89.
9 *ibid.*, 490.
10 *Scotichronicon*, XVI, Ch. 27.

devotes one chapter to the murder and, as part of that concerned Bower's grief about the event, the actual details of James' death are contained in thirty-one lines.[11] In addition Bower makes two references to the crime in later chapters, but it is surely significant that the French and Burgundian writers, Monstrelet, Waurin and Chartier, give longer versions of the murder than the main Scottish chronicle for the reign.

Bower's caution is also shown by the reasons he gives for James' murder. In the *Scotichronicon* the entire responsibility for the murder is placed on Walter, earl of Atholl, who is also blamed for instigating the deaths of Murdac and Rothesay. Atholl is said to have had a consistent ambition for the "government of the kingdom" and planned to take over the administration for James II after the murder.[12] In a later chapter Atholl is reported to have been acting to fulfill a prophecy that he would be crowned "with the splendid crown of the kingdom" and would therefore usurp the throne once James I was dead.[13] Whilst, as will be discussed, this view can be partially supported, Bower's hostility to Atholl must also have derived from the hostile government propaganda which accompanied the earl's capture and execution. This is reflected in the fact that Bower first said his accusation against Atholl was based on the earl's confession, but later altered this to say that his source was "mere gossip".[14]

By heaping the blame on the Atholl Stewart faction, Bower was able to ignore effectively the situation of political tension in 1436-7 which was such an important part of the accounts of del Monte and Shirley. Instead the drama at the Blackfriars appears in the

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11 *ibid.*, XVI, Ch. 27, l 21-60.
12 *ibid.*, XVI, Ch. 27, l 33-34.
13 *ibid.*, XVI, Ch. 36, l 43-44.
14 *ibid.*, XVI, Ch. 27, l 23 of the Latin Text, textual note °.

Scotichronicon as an isolated event brought on by Atholl's ambition and the King's lack of precautions. In only one manuscript is there a reference to the fate of the murderers, despite Bower's stated intention to discuss the executions. The only hint that general tension between James and his subjects was connected with Atholl's attack on him occurs in the summary of the reign, where Bower blames the King's death on the "misguided failure of respect". "This was seen not only in the bitter bloodshed involving the personal household of the King but also in the lack and want of healthy deliberation and loyal financial help on the part of the three estates".[15] By relating the events of 21 February in isolation, Bower is able to keep any criticisms of the King, which were connected with the murder, well in the background and preserve the generally favourable reputation which he ascribed to James.

Despite his reluctance to give evidence of the political background to the murder, Bower's account provides the best factual basis for the assassination. He identifies the chief conspirators as Atholl, his grandson, Robert Stewart, and Robert Graham, and gives the correct date and location for the murder. In addition, the *Scotichronicon* mentions the wounding of the Queen, the death of James' page, Walter Straiton, the fact that the King was isolated and that only David Dunbar was able to pursue the murderers. Given Bower's usual accuracy and the consistency with which these details reappear in other versions of the murder, it is reasonable to trust the *Scotichronicon's* limited account of James' death.

The longest, most detailed and most controversial source for James' murder is *The Dethe of the Kynge of Scotis*, a full narrative account of the assassination written by the Englishman, John

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15 *ibid.*, XVI, Ch. 28, l. 21-26.

Shirley.[16] According to the epilogue to this work, *The Dethe* was "translated out of Latyne into owre moders Englisshe tong, bi youre symple subget Johnne Shirley in his laste age".[17] Shirley's old age is also referred to in a number of other translations from the 1440s and early 1450s, which had been collected in the same manuscript as *The Dethe*.[18] His epitaph records that he died in 1456 at the age of ninety.[19] Therefore, Shirley's composition of his narrative occurred in the twenty years after James' murder. Given this chronological proximity to events and the wealth of detail included in the text, it is clearly essential to evaluate the reliability of Shirley and his work.

John Shirley has long been recognised as a major copyist and scribe, living in St. Bartholomew's Close in London.[20] During the second quarter of the fifteenth century he produced copies of the works of Lydgate and Chaucer, annotating the texts of these authors. Although his additions had been previously dismissed as unreliable, current work suggests that "Shirley, where he can be checked, is very accurate in his attributions".[21] This accuracy probably extends to political matters as, until 1439, Shirley's main role was as a servant of Richard, earl of Warwick, the tutor of Henry VI and lieutenant of the King's forces in France.[22] Shirley may have accompanied Warwick on pilgrimage and crusade to southern and eastern Europe in 1408-10 and served in the earl's retinue in France in 1415

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16 *James I, Life and Death*, 47-67; British Library MS Add. 5467; Add. 38690; G. Neilson, 'Missing Section of 'The Dethe of the Kynge of Scotis' Recovered', in *S.H.R.*, ii (1905), 95-97. I am indebted to Dr M. Connolly for her help and information concerning John Shirley.
17 *James I, Life and Death*, 67.
18 A. Brusendorff, *The Chaucer Tradition* (London, 1925), 213-15; BL Add. 5467. However, this manuscript is not in Shirley's own hand.
19 A. Brusendorff, *The Chaucer Tradition*, 213.
20 *ibid.*, 217.
21 D. Pearsall, *John Lydgate* (London, 1970), 77.
22 A.I. Doyle, 'More Light on John Shirley', *Medium Aevum*, XXX (1961), 93-101.

and 1436. In the 1420s, while his master was personally responsible for the young King, Shirley was secretary to the earl. This long and distinguished civil and military career must add to the weight which can be ascribed to Shirley's political knowledge even in areas like Scotland with which he had no personal experience. The death of Earl Richard in 1439 may have prompted Shirley's active writing in the 1440s. While it had been believed that Shirley copied texts for a professional book lending or selling business which he ran, it has been more recently suggested that he wrote for his own personal consumption and only lent his books on a small scale.[23] This would clearly have an effect on Shirley's purpose in writing *The Dethe* as it could no longer be seen as a work "clearly designed to sell in the market for sadistic handbills" as had been previously thought.[24] Without these 'pressures of the market-place' it is possible to see *The Dethe of the Kynge of Scotis* as a more balanced historical source.

However, aside from questions about its literary background, there have been doubts raised about the source based on its internal content. There is a strong element of fantasy about *The Dethe*. The King has repeated portents of his end relayed to him by dreams and wandering Irish soothsayers, and these could be seen to detract from the seriousness of the account.[25] Such warnings were, though, an almost expected part of a story about the fall of a Prince, from classical times onwards, and Bower explains Atholl's ambition as the result of a prophecy about the crown and connects Rothesay's death with the passage of a comet in 1402.[26] Similarly the speeches which are ascribed to Robert Graham in the parliament and at his trial are

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23 R.F. Green, *Poets and Princepleasers: Literature and the English Court in the late Middle Anges* (Toronto, 1980), 132-133.
24 Duncan, *James I,* 23.
25 *James I, Life and Death,* 52-55.
26 *Scotichronicon,* XV, Ch. 12, l. 84-89; XVI, Ch. 36, l. 39-44.

probably inventions of Shirley or his source, but this was a common feature of otherwise reliable histories, as we have seen with Del Monte's account.[27] More importantly, there are instances where Shirley's narrative becomes confused, such as at the discussion preceding Graham's attempt to arrest the King, or where he makes factual errors. This is especially apparent in Shirley's knowledge of Scottish geography. The Forth and the Water of Leith are stated to be the same and Edinburgh and Roxburgh are also confused.[28] In addition, the Master of Atholl is described as alive in 1437, though his father, Earl Walter, clearly states that his eldest son was dead in his pre-execution testament.[29] Other mistakes include naming Robert Graham as the son, rather than the brother, of an earl and thinking that the Duke of Albany was a different person from the Earl of Menteith in 1425.[30]

These mistakes are hardly of central importance to Shirley's account and the last two may have derived from errors in translation. There is, moreover, considerable internal evidence which suggests the reliability of *The Dethe*. Shirley mentions the holding of a parliament at all hallowe'en (31 October) in Edinburgh which corresponds to a general council in the burgh beginning on 22 October.[31] He may also be roughly accurate in saying that the King went north to Perth before Christmas as James was certainly in the town by 1 January.[32] Similarly Shirley's identification of the Earl of Orkney as a member of the King's household and of Angus as the captor of Atholl is also plausible. Bower reports that Orkney was James' pantelar in 1436 while Angus' political links to the King and

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27 *James I, Life and Death*, 50, 63-64, 65.
28 *ibid.*, 52.
29 *ibid.*, 51; *Panm. Reg.*, ii, 228-29.
30 *James I, Life and Death*, 48, 50.
31 *ibid.*, 51; *A.P.S.*, ii, 23-24.
32 *James I, Life and Death*, 52; S.R.O., RH 6/295.

possible rivalry with Atholl are discussed elsewhere.[33] However, Shirley's factual content is most impressive when detailing the murderers. Like Bower he identifies Robert Stewart as a household servant of the King and names Robert Graham as the leader of the assassins. In addition he names several other conspirators including Thomas and Christopher Chambers and the Hall brothers.[34] Shirley identifies the Chambers as former adherents of the Albany Stewarts and says that Thomas Chambers was also a "familier" of the King. As will be discussed, both these facts can be verified, as can the fact that Thomas Chambers was executed for the King's murder.[35] *The Dethe* is the earliest source for the involvement of the Chambers and Halls in the conspiracy and also for what developed into the "bar-lass" story. The full version of this only emerged in Bellenden but Shirley records the presence of an Elizabeth Douglas with the Queen. However, in *The Dethe* she falls into the privy in which James is hiding, rather than delaying the murderers' entry into the chamber.[36] Bellenden, who gives the information that the woman was the future wife of Lovell of Ballumbie, names her Catherine. However, in 1438, Lovell was married to an Elizabeth Douglas, supporting Shirley's identification of a woman of this name as an attendant of the Queen.[37] Finally, *The Dethe* contains the story of David Dunbar's pursuit of the murderers which fits with Bower's account of the same event.[38] The number of these details in Shirley which can be verified from non-chronicle sources must make *The Dethe of the Kynge*

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33 *James I, Life and Death*, 53, 62; *Scotichronicon*, XVI, Ch. 12, l. 2.
34 *James I, Life and Death*, 51, 54, 57-58.
35 *ibid.*, 58; *R.M.S.*, iii, no. 316.
36 *James I, Life and Death*, 57.
37 Bellenden, *Chronicles*, XVII, Ch. ix; S.R.O., GD 121/3/12. Elizabeth was the daughter of William Douglas of Lochleven (*S.P.*, vi, 366).
38 *James I, Life and Death*, 60.

of Scotis an account to be considered seriously alongside other evidence.

Given this general reliability, it is interesting to speculate on the nature and origins of Shirley's information. As has been mentioned, the work was supposedly translated by Shirley from a Latin source. However, the medieval idea of translation could mean that a Latin original was cited by the author merely to give weight to his own account. The authority used by Shirley need not have been the origin of his factual information about the murder. If this was the case, then it is even possible that *The Scotichronicon* was the Latin source for Shirley. In *The Dethe* Rothesay is described as "fulle of viciousnes" and his marriage adventures referred to in a way which is similar to, though gaudier than, Bower.[39] The events of 1424-5 as recorded in Shirley may be condensed from the *Scotichronicon* too. The victims are listed by Shirley and "yn diverse castells full hard prisoned", a phrase which could be drawn from Bower's more detailed account of the arrests.[40] *The Dethe*'s apparent confusion over the timing of Robert Graham's arrest could also be the result of Bower's reference to his detention in 1424.[41] Finally, mention of David Dunbar and the killing of one of James' servants in *The Dethe* may have been drawn from Bower's account of the murder.

There are, however, some problems with this relationship between the two works. The *Scotichronicon* was written in the 1440s and *The Dethe* probably before 1456, allowing little time for Shirley to obtain and use Bower's work.[42] Moreover, the *Scotichronicon* can only have been used very selectively by Shirley, whose account is only concerned with the broad details of 1402 and 1424-5 as evidence of a

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39 *ibid.*, 47-48; BL Add. 38690.
40 *James I, Life and Death*, 49.
41 *ibid.*, 50-51; *Scotichronicon*, XVI, Ch. 9, l. 39.
42 *Scotichronicon*, Introduction, xiii-xvi.

crown-Albany feud which persisted to 1437. Bower never hints at such a feud and, in other ways too, Shirley displays a directness which is absent from the *Scotichronicon*. *The Dethe* openly reports fears about Rothesay becoming King and has no doubts that the duke was starved to death. Shirley also links Douglas and Buchan's departure to France with James' return and is more outspoken about the King's avarice than Bower.[43] This direct perceptiveness may result from Shirley's distance from Scottish politics, but could not derive from Bower in isolation.

In any case Bower could not be the source of the most valuable part of the work, Shirley's detailed description of the murder and its preliminaries. His information for this could conceivably have come from English knowledge of the murder, perhaps in conjunction with Bower. As we have seen, Shirley possessed good connections within the English nobility, especially with Richard, earl of Warwick and, to a lesser extent, William, earl of Suffolk. These men were linked to Cardinal Beaufort in political terms and Warwick's daughter was married to Edmund Beaufort, Queen Joan's brother, who had personal experience of Scotland.[44] The Beauforts would surely have had a full knowledge of the murder from the Queen, who was in correspondence with her uncle, the Cardinal, immediately after the murder. However, as with del Monte, the Beauforts are an unlikely source for Shirley. *The Dethe*, although ambiguous in its attitude, is hardly favourable to James and possibly a potential embarrassment to the Beauforts. It may be more significant that, despite surely knowing about the Queen's English blood and ascribing to her an important role in events, Shirley never names Joan.[45] It is unlikely

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43 *James I, Life and Death*, 47-49; BL, Add. 38690.
44 R.A. Griffiths, *The Reign of Henry VI*, 60.
45 This contrasts with the account of the murder given by Monstrelet and Waurin which both name Joan as the daughter of the Earl of

therefore that *The Dethe* has any partisan or propaganda purpose in the increasingly tense politics of England in the 1440s and 1450s, as this link would surely have been stressed.[46]

An alternative to this English source may be provided by posssible connections between *The Dethe* and the accounts of two contemporary Burgundian writers, Jean de Waurin and Enguerrand de Monstrelet.[47] As Monstrelet clearly consulted Waurin for parts of his work, there is, not surprisingly, a considerable, though not complete, overlap between the accounts of the murder in these two chronicles. However, although much shorter, these continental sources share several elements with Shirley's narrative. All three accounts stress the connection between the murder and James' destruction of the Albany Stewarts, though, unlike Shirley, the Burgundians concentrate on Atholl as the leader of the conspiracy. Waurin's version includes an episode with the killers failing to find James at rest and returning the next day, a story which could be tied to Shirley's story of the King eluding the assassins' initial search for him. Most interesting, though, is the importance in all three accounts of detailed descriptions of the executions of the conspirators.[48] Bower fails to deal with this subject in any depth. This may be an indication of fifteenth century literary taste rather than evidence of a similar source and the description of Atholl's execution differs completely between Shirley and the Burgundians. In *The Dethe*, Atholl is simply beheaded, while in Waurin and Monstrelet

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Somerset (Monstrelet, *Chroniques*, V, Ch. ccxi; Waurin, *Chronicles* (1431-1447), 208-16).

46 Another English version of the murder is the short but near contemporary account in the Latin Brut (C.L. Kingsford, *English Historical Literature in the Fifteenth Century*, 322-23).

47 Monstrelet, *Chroniques*, V, Ch. ccxi; Waurin, *Chronicles* (1431-1447), 208-16. There is a brief account of the murder in, Jean Chartier, *Chronique de Charles VII*, Ch. 127.

48 Monstrelet, *Chroniques*, V, Ch. ccxi; Waurin, *Chronicles* (1431-1447), 208-16; *James I, Life and Death*, 61-66.

he is brutally tortured. However, this may be due to the desire of the chroniclers to concentrate on Atholl as the major figure in the conspiracy and there is considerable similarity elsewhere. The story of Atholl being crowned occurs in all three sources as does the simple hanging and quartering meted out to Robert Stewart. The basis of Robert Graham's treatment is also similar in these works, though Shirley concentrates on him as usual. He is dragged round the town by a cart to which he is tied by the hand that struck the King. During this procession he is jabbed with hot irons. The consistency of these details suggests either accuracy or an identical source of information for all three authors.

It is possible that this source of information was also used by the author of *Liber Pluscardensis*, the Scottish chronicle written in the 1460s.[49] Unlike the usual reliance of *Pluscarden* on Bower, the account of James' murder clearly depends on other sources. *Pluscarden* names six murderers, Stewart, Graham, the Chambers and the Halls, all of whom only appear in Shirley, and also makes the same error about the survival of the Master of Atholl. Bower's account clearly influenced *Pluscarden*'s description of Walter, earl of Atholl as the instigator of the murder and there is no connection with the events of 1424-5 mentioned in the other versions. However, the references in *Pluscarden* to the treatment of the murderers clearly link it to *The Dethe* and the Burgundians. Although no names are given, *Pluscarden* seems to be condensing these sources, referring to men being led through towns, wounded with burning irons, drawn by carts and hanged from masts before being beheaded and quartered.[50] As *Pluscarden* also contains information not recorded in any other

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49 *Liber Pluscardensis*, XI, Ch. ix.
50 *ibid.*, XI, Ch. x.

contemporary account, it is reasonable to see the author as piecing his version together from a number of available sources.

The links between Shirley, Monstrelet, Waurin and *Pluscarden*, therefore point to an original source. This original was probably not Shirley's account, as there are several discrepancies between these versions. For example, Shirley does not give a date for the murder, while Monstrelet says that it occurred on the second Wednesday in Lent and Waurin that it was the first Wednesday. Depending on whether Ash Wednesday itself was counted, both these dates could be 20 February, the day of the attack. As *Pluscarden* dates the King's death as being in the first week of Lent this connects it with the Burgundian versions rather than Bower who simply gives the date as 21 February. Equally, Monstrelet and Waurin say James was wounded thirty times and Pluscarden twenty-eight, while Shirley says there were only sixteen wounds. More interestingly, while Shirley says there were 300 murderers, Monstrelet and Waurin say there were thirty, a much more plausible figure. The figure in *The Dethe* may be the result of a mis-translation by Shirley of the numbers in his source. A similar mistake may occur in Shirley's statement that the murderers were executed within a month of the crime, which was not the case. Waurin, however, says this occurred within forty days, which could be true even if Atholl's execution was not the last to take place.[51] From these differences it seems likely that Shirley was not directly used by Waurin while the additional details in *The Dethe* makes the reverse impossible.

It is possible that Shirley, Monstrelet, Waurin and the author of *Pluscarden* all had access to a similar source which certainly detailed the names and fates of the King's murderers and may have provided the factual basis for the whole of *The Dethe*. If this was

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51 *James I, Life and Death*, 55, 59, 61.

the case, it is possible that there was an account of the murder on the continent in the late 1430s. At that time Shirley may well have been regularly in France as an agent of the Earl of Warwick, from 1437 the main English commander in Normandy. The information in *Pluscarden* also suggests that the author was in touch with continental events, perhaps in connection with Princess Margaret's marriage to the Dauphin.[52] The Burgundian writers would also have been able to use such a source.

Although this hypothesis cannot be proved conclusively, *The Dethe of the Kynge of Scotis*, clearly fits in with other accounts of the murder by generally reliable historians and, despite its errors, can be seen to be based on a reservoir of accurate detail from a source with close knowledge of the events at Perth. As Shirley is the only contemporary to refer to the story of the King taking refuge in the privy, this verification of his reliability is important for the popular perception of James' murder. Shirley's other main contribution to the story of the King's death is in his treatment of Robert Graham. Despite occasionally hostile refrences to the murderers in general, Shirley clearly sympathised with Graham, who is called "a mane of grete wit and eloquence" and "withe manly hert and wele avisid".[53] Graham is presented as waging a personal war on the King, whose lordship he has renounced, and as being, at least partially, justified in doing this. Robert challenges the King in person, brings him down and makes a speech at his trial which is, in

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52 A.I Doyle, 'More Light on John Shirley', in *Medium Aevum*, xxx (1961), 93-101, 95; R.A. Griffiths, *The Reign of Henry VI*, 60, 455-57; *Liber Pluscardensis*, XI, Ch. ix, x. The story about the reaction of the legate to the murder and the Duke of Brittany's execution of two of those involved in the conspiracy could well have been derived from information gained on the continent. The inclusion of a verse in *Liber Pluscardensis* lamenting the death of Princess Margaret may indicate that the author was associated with her household (*ibid.*, XI, Ch. viii).

53 *James I, Life and Death*, 50, 63.

some ways, the climax of the work. He is also reported to have had doubts about killing the King, whom he pities at the last, and Shirley inserts statements of regret during the account of Graham's execution which ends the work. It is Graham who appears as the hero of a work, the moral of which is about avaricious kings, not regicides.[54] This may be John Shirley's addition to a text which originally just gave a full and detailed account of James' murder and then a righteously hostile account of the murderers' executions. Certainly no element of sympathy for Graham or his accomplices appears in the other accounts which share some of the features of *The Dethe*.

The later versions of the murder are quite clearly compiled from these contemporary sources. This is most obvious and most direct in the *History of Greater Britain* written by the Scot, John Major, in 1521 and Bellenden's translation of Boece's *History of Scotland* from ten years later.[55] Major had spent a considerable period on the continent and had clearly read Monstrelet's account of the murder. He cites Monstrelet as his source for the stories about the execution of the murderers, but much of his account is based on the *Scotichronicon*, as with the rest of his history. However, Major also has information about Robert Graham's first clash with the King and mentions the execution of Christopher Chambers, details which could have come from Shirley or his source.

There are parallels to this in Bellenden's translation of Boece. Bellenden also contains details about the executions of the murderers which are clearly derived from Waurin or Monstrelet rather than Shirley. The account of Atholl's execution is the macabre version in the Burgundian chronicles rather than the brief one in *The Dethe*.

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54 *ibid.*, 66-67.
55 Major, *History*, VI, Ch. xiv-xv; Bellenden, *Chronicles*, XVII, Ch. ix-x.

Like Major, however, Boece had access to Shirley or something similar. Not surprisingly there is none of Shirley's sympathy for Graham, but the story of the latter's earlier clash with the King and his personal hatred for him is included. The account also mentions Robert Graham's defiant speech at this trial. However, in Bellenden he is presented as a madman who prefers hell to heaven rather than an idealistic tyrannicide. Details such as Straiton's death, the role of Dunbar, who is wrongly named as Patrick, and the story about the legate's reaction to James' death all indicate that Boece's history also drew on Bower and *Pluscarden* for information. It is possible that local knowledge is also used in this murder story as it is from this source that the story of Katherine Douglas derives. Although a hint of this tale occurs in Shirley, the chronicle is the first indication of the "bar-lass" story and the record of her subsequent marriage to Alexander (Richard) Lovell of Ballumbie is perhaps evidence that this information was derived from family sources.

The most striking element of both these sources is their use of the differing contemporary accounts of the murder. They use the details of the murder given by Shirley and the Burgundians and even refer to Robert Graham's clash with the King in parliament. However, as with *Pluscarden,* these early sixteenth century Scottish versions of the murder story rely on Bower for their understanding of the motives of the murderers. As a result they concentrate on the 'wicked uncle' theory to explain the murder and repeat and elaborate on the list of crimes supposedly committed by Atholl. For example, Bellenden links Atholl with an attempt to kill James in 1406 and with a possible plot against the King at Roxburgh. Later versions, starting with Lesley and Buchanan, echo this balance between earlier sources which coincided with the increasingly favourable attitude of

chroniclers to James' reign following John Major.[56] Both these late sixteenth century accounts rely on Bellenden or Boece for their information about the murder.

The similar accounts of the murder given in Major, Bellenden, Buchanan and Lesley indicate that by the sixteenth century the various contemporary versions of the event had been assimilated by Scottish historians. The result was a murder story which relied on the group of acounts which centred on *The Dethe* for much of their factual detail but which ignored the work's statements about the reasons for the murder. Instead Bower's portrayal of the murder as an isolated act is followed. Given the general validity of the facts contained within Shirley and its position as the most extensive account of the murder, it is necessary to re-evaluate its statements about the background and motives for the King's death which Bower covers in such a limited fashion.

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56 Lesley, *History*, C, Ch. 42-43, 45; Buchanan, *History*, CII, Ch. lv-lvi.

ii. The Alienation of Atholl

In all the fifteenth and sixteenth century accounts of James I's murder the responsibility for the act is placed, to a greater or lesser degree, on the King's uncle, Walter, earl of Atholl. All of these sources present the murder as an attempted coup d'état by the earl and his supporters. While the precise nature of Atholl's involvement in the King's death and the political crisis which preceded it will be considered later, it is clear that the earl and his grandson were to have been the main beneficiaries in the event of success and, following the murder, the Atholl Stewarts were executed as leaders of the plot against the King.

Walter, earl of Atholl's leadership of the attack on James I is one of the essential problems of the reign. From May 1424 onwards, the earl appears as one of the King's closest and most favoured supporters. As has been discussed, Atholl had strong local reasons for backing the elimination of the Albany Stewarts and was clearly rewarded for his support.[57] After 1425 Earl Walter seems to have replaced the duke of Albany as the most important magnate in Perthshire. In this he was actively promoted by his nephew, the King, who made Atholl sheriff of Perth, justiciar north of Forth and gave the earl and his supporters a degree of control over royal lands in the area.[58] Most significantly, James backed Walter's control of the earldom of Strathearn, granting him the lands in life-rent in 1427.[59] These landed gains and the earl's appearances on the King's council suggest that Atholl enjoyed considerable influence with his nephew and was, in effect, the most important magnate in the kingdom.

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57 See Chapter 4, Section iv.
58 *H.M.C.*, vi, 691, no. 20; *Coupar Angus Chrs*, no. cxxviii; *Pitfirrane Writs*, no. 24.
59 *R.M.S.*, iii, no. 93.

However, despite the benefits which Walter had received from the King, he was clearly disenchanted with, or fearful of, his nephew's policies by 1437 and it was this very proximity of Atholl and his associates to the heart of royal power which enabled the plot against James to succeed. There must have been significant reasons for the drastic change in Earl Walter's attitude towards the King which led to the events at the Blackfriars in Perth in February 1437.

The process which led Atholl to contemplate such an attack on the King stemmed from a combination of James' own policies and the long and uncertain political career of his uncle. From 1434 onwards, Walter may have been concerned about a change in the King's attitude to his lands in Perthshire. This change was connected with the King's determination from 1431 to extract the maximum financial returns from royal rights and lands. As we have seen, the behaviour of James in Mar and March during the 1430s was heavily influenced by his desire to increase the lands and revenues under royal control and provide the crown with greater resources. In the light of this there may be evidence of a change in the King's attitude to Atholl's dominance in Perthshire.

It seems likely that, in the aftermath of Albany's execution, Earl Walter had received effective control of the extensive Perthshire lands of the duke and his family. There was no formal grant of these lands to Atholl, and royal charters were issued concerning estates in Glendochart, Appin of Dull and other former Albany lordships in north-western Perthshire, showing James' continued title to them. However, there are some indications that Atholl was administering these royal lands for his nephew, just as the Earl of Mar was running northern estates of the crown. The appointment of Atholl's supporter, John Spens, as bailie of Glendochart, which occurred before 1428, indicates Walter's

influence, and the failure of Queen Joan to receive sasine of her lands of Appin of Dull before 1435 was probably due to similar circumstances.[60] Both these estates and the lands of Toyer and Disher near Loch Tay had been in James' hands since 1425 but do not appear in the accounts of royal lands rendered in 1434.[61] Atholl's role as justiciar and sheriff and his long local experience ideally qualified him for the task of administering the new royal estates in Perthshire.

It is possible that, connected with the royal attack on the lordship of the Isles, Atholl was able to restore government influence in these lands in northern Perthshire, which had been a source of trouble for the Albany Stewarts since the late 1380s and cannot have provided the dukes with much revenue.[62] Earl Walter certainly seems to have made some advances in the administration of Atholl by the 1430s. On 31 July 1433, the earl held a justice-ayre of Atholl based at Logierait.[63] This judicial proceeding provides the only indication of Atholl's presence in, and authority over, his earldom for the whole thirty-three years of his nominal tenure. Among the cases he heard at Logierait were disputes over the lands of Rannoch and Tulloch in the north of the earldom. The case over Tulloch was brought by Coupar Angus Abbey against John, thane of Glentilt, a major local landowner, for his occupation of the estate, and, in the following year at Perth, an assize returned the lands to the monks. The Rannoch dispute may have been similar as the Robertsons of Struan, who were involved in the case, were the chief local kindred in that part of Perthshire and may have been preventing the other claimant, John Rattray, from recovering his portion of

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60 *H.M.C.*, vi, 691, no. 20; *Spalding Misc.*, iii, 239.
61 *E.R.*, iv, 589-603.
62 *A.P.S.*, i, 579; *E.R.*, iii, 274, 310; *Scotichronicon*, XV, Ch. 3, l. 1-5.
63 *Coupar Angus Chrs*, no. cxxviii.

Rannoch.[64] If both cases were brought against local families for their illegal occupation of estates in northern Perthshire, this may be connected with renewed government authority in the area after a forty year gap and the need to clarify the local landed situation.

The readiness of major Atholl families like the Robertsons to attend Walter's court also reflects a political advance by the earl. Although Duncan Robertson, also known as *de Atholia*, was one of the most important landowners in the earldom, neither he nor his kin appear with Earl Walter before 1433 and the family had physically opposed the earl in the 1390s.[65] There is no reason to believe that this hostility ceased before the 1420s, despite the fact that the *de Atholia* family held lands in Strathearn.[66] However, in 1432, Duncan de Atholia of Rannoch, the head of the kindred went to England as a hostage, probably reflecting some kind of change in his attitude to the government before 1433.[67] Following the successes of the King and Mar in Badenoch and Lochaber, families like the Robertsons and their neighbours the Stewarts of Fortingall may have had little alternative to the acceptance of greater interference by James' local representative, Atholl. Although later events show that the Robertsons and their neighbours still harboured hostile feelings towards the earl, the fact that they were, to some degree, under his control represents a distinct political advance in the government of Perthshire by Walter.

As the lands and influence of the Robertsons and their neighbours extended into the crown estates in the Appin of Dull and around Loch Tay, it seems likely that the authority of the earl was

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64 For the lands of the Robertsons in Atholl see, J.A. Robertson, *Comitatus de Atholia* (Edinburgh, 1860), 17-31.
65 *A.P.S.*, i, 579; I. Moncrieffe, *Clan Robertson* (Edinburgh and London , 1954), 9-10.
66 *H.M.C.*, vii, 707, no. 34.
67 *Rot. Scot.*, ii, 277.

also increased in these areas in the early 1430s. If this was the case, it is possible that by 1434 the Earl of Atholl may have been able to collect the revenues of these areas, a feat which had clearly been beyond the Albany Stewarts since the late 1380s.[68] However, the success of Atholl in this direction may, ironically, have been counter-productive in terms of his own interests. The King's anxiety to increase the revenue and lands at his disposal during the 1430s must have made him keen to gain control of the estates forfeited by the Albany Stewarts in north-western Perthshire.

The King took action to achieve this end in April 1435. Between 14 and 24 April James was clearly concerned with the local situation in the Appin of Dull and there appears to be a change in the administration of these lands. On 14 April at Stirling the King granted his squire, David Menzies of Weem, lands in the Appin of Dull which included Rawar, Glassie and Farleyir.[69] Six days later at Perth the Queen ratified this grant, as she possessed the Appin of Dull as part of her dower lands.[70] However, on 24 April, the King ordered Menzies to deliver sasine of his lands in the area to the Queen despite her ratification.[71] As by 1441 Menzies was again in possession of these lands, the purpose of these exchanges is not immediately clear.[72] However, the involvement of the King, the Queen and Menzies of Weem in these Perthshire lands may represent a change in the local situation with ominous implications for Atholl.

On 24 April 1435 James referred to Menzies as his bailie in the Appin of Dull, and this certainly indicates a new development in the administration of the area. Unlike Spens in Glendochart, Menzies

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68 *E.R.*, iii, 274, 310; iv, 38, 59. These payments seem to be compensation for the Albany Stewart's lands of the Appin of Dull, from which, presumably, they were obtaining no revenue.
69 *H.M.C.*, vi, 691, no. 19.
70 *ibid.*, vi, 691, no. 20.
71 *ibid.*, vi, 691, no. 21.
72 *ibid.*, vi, 691, no. 23.

lacked any strong connection with Atholl which would affect his running the estates of the crown. Although David Menzies possessed the lands of Weem, Aberfeldy and others which made him a vassal of Earl Walter, there is no indication of contact between the two men.[73] As with the Robertsons, the earl lacked close ties with the main landowners in Atholl. However, unlike the Robertson family, Menzies' ties were not with the Wolf of Badenoch and his local descendants but with the Royal Stewarts. These links were probably formed by David's family with Robert II and III who were also Earls of Atholl during the second half of the fourteenth century. Unlike his father and brother, Walter did not grant Menzies a confirmation of his lands in Atholl and this may show the attitude of both earl and vassal.[74] From 1437 Menzies was one of the main local beneficiaries of Atholl's removal, receiving the rights of patronage to Weem church, which the Earl of Atholl had held, and in 1451 having his lands in the earldom erected into a barony.[75] This may indicate that, like the Robertsons, who were similarly rewarded, Menzies was a local opponent of Atholl and contributed to his downfall.[76] After 1424 Menzies seems to have revived his family's links with the Royal Stewarts. In July 1431 he was with the King after the arrest of Douglas and granted lands to Melrose Abbey in return for prayers for his family and the King and Queen.[77] In 1435 Queen Joan referred to David as "welbelufit" and it was probably as a result of his connections with the King that he was given control of the Appin of Dull.[78] With

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73 *ibid.*, vi, 690-91, nos. 1, 5, 6, 9, 11, 23.
74 *ibid.*, vi, 690-91, nos. 9, 11.
75 *ibid.*, vi, 692, nos. 22, 24.
76 Robert Duncanson de Atholia had his lands in Atholl erected into a barony in 1451 for his capture of James I's murderers (S.R.O., GD 1/947/2).
77 *Melr. Lib.*, ii, no. 519.
78 *H.M.C.*, vi, 691, no. 20.

Menzies as bailie of these lands it is likely that Atholl's influence was effectively excluded.

Although not entirely clear, the dealings between James and Menzies may also have been connected with the increased influence of the Queen. Her growing significance will be considered later, but her rights to the Appin of Dull were protected and sasine of part of the estate was delivered to her in April 1435. Full sasine of the estate may have remained in her husband's hands until his death and a similar arrangement may have existed from 1435 in the adjacent lands of Toyer and Disher on the banks of Loch Tay. Menzies held lands at Edramucky and Morenish in the lordship as well as the office of "teschandorouschip of Artholony", while in 1439 Queen Joan granted two thirds of her lands of "Ardcowlny" in the estate to the Perth Charterhouse.[79] "Artholony", which is also called "Kyrkcolony" could be connected with the Queen's estate but, in any case, Joan clearly possessed a landed interest in Toyer and Disher. It is conceivable that like Appin of Dull, other ex-Albany lands in Perthshire had been assigned as part of the Queen's dower lands and that, as they came to profit, the King was ensuring control of the revenue from the estates, perhaps again by employing Menzies as his local agent. The grant of Glendochart to the Carthusians, which was first recorded in 1451, was probably also made in about 1434 as the lands became a viable source of income for the King's foundation.[80] As in Mar, James was increasingly using landed revenue to replace the ransom money and pay for royal projects of this kind. While the Queen was clearly prepared to allow her husband to control the income gathered from her dower-lands, the attitude of Atholl must have been more doubtful. Even if his administration of these royal lands was only

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79 *ibid.*, vi, 691-92, nos. 17, 22; iv, 513; *E.R.*., v, 483,
80 *E.R.*, v, 484.

ever intended to be temporary and until the lands "be sett to profit", Atholl may not have appreciated the promotion of a man like Menzies, who was outside his own affinity.[81] It was presumably the efforts of Walter which had increased government influence in the Perthshire highlands and he may have been worried about the stability of his position in Atholl now that he had been removed from control of the royal estates bordering the earldom.

By 1435, therefore, the King seems to have been able to control the revenue of the Appin of Dull and Loch Tay in his wife's name and to have disposed of Glendochart to finance the Perth Charterhouse. While this situation must have reduced Atholl's authority in north-western Perthshire, the lands concerned were peripheral to the earl's real landed base. As we have seen, this lay in the Earn valley and centred on Walter's possession of the earldom of Strathearn and the lordship of Methven. However, in the 1430s, Atholl also experienced the effects of James' efforts to increase crown lands in his Methven estate. The Exchequer accounts for 1456 include details of a law-case brought before James I by the Earl of Douglas.[82] In this case, Douglas claimed that he had been illegally denied entry into the lands of Dunbarney and Pitkeathly in the lordship of Methven by Atholl. Atholl had granted the lands to the 4th earl of Douglas who, according to Walter, had illegally alienated them without his superior's consent. Therefore, on the 4th earl's death in 1424, Atholl re-possessed the lands as escheats, probably relying on James' support and the temporary weakness of the new Earl of Douglas. Douglas' claim to these lands may have been a long-standing source of grievance between the two men and his renewal of the issue may

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81 Fraser, *Menteith*, i, 261-62. There may have been similarities between the positions of Atholl and Mar in their administration of royal lands.
82 *E.R.*, vi, 245-46.

indicate an awareness that Atholl could no longer rely on the unequivocal backing of the King. As, in the account of the case, James' councillor, John Winchester, is named as canon of Aberdeen, these events occurred between 1433, when John received the benefice, and 1435, when he became Bishop of Moray.[83] Winchester only returned from the Council of Basle in late 1433, which makes it likely that the case was heard in 1434 or early 1435.[84] This date would put it close to James' resumption of the crown lands in Perthshire, and this could have encouraged Douglas to bring the action.

James heard the matter with his council in the Blackfriars at Perth, only about three miles from the lands in question. During the proceedings the quarrel between the earls was described as "senseless", perhaps indicating the exasperation of the King with the tensions caused by the issue. The lands under dispute seem to have formed a block of lands detached from the rest of the lordship and, in the early 1450s, were worth £18 13s 4d.[85] However, as a source of rivalry between the two most powerful Scottish magnates, possession of Dunbarney and Pitkeathly was a major political issue. To allow the dispute to continue would have risked factional unrest between the earls and their supporters. However, James' motives in judging the case may have been self-interested. The result of his deliberations was to order that "the aforesaid Earl of Douglas resigned the lands into the hands of the Earl of Atholl ... as superior lord of the same, and the same Earl of Atholl bestowed the lands on the King".[86] Although these resignations were made on the same day as the case, the actual possession of the lands was clearly not resolved until

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83 *The Apostolic Camera and Scottish Benefices 1418-88*, ed. A.I. Cameron (Oxford, 1934), 110; *E.R.*, iv, 654.
84 J.H. Burns, 'Scottish Churchmen and the Council of Basle', in *Innes Review*, 13 (1962), 3-53, 7.
85 *E.R.*, v, 481.
86 *ibid.*, vi, 245-46.

1436. This may indicate that both earls were reluctant to implement the King's verdict. In April 1436 at Linlithgow, Douglas appointed William Crichton, David Stewart of Durisdeer and William Fowlis as his procurators for the resignation of Dunbarney to Atholl.[87] Whether this shows that Douglas was in possession of the lands from 1434 or just that the legal processes were dragged out until 1436 is not clear, but it seems likely that, during the summer of that year, Walter was expected to resign part of his Methven estate to the crown. As the earl had possessed the lands from 1424 to at least 1434 this cannot have been welcome to him.

The intervention of the King in the dispute between Atholl and Douglas had therefore worked to the disadvantage of both men, but it was Walter who had lost most as a result of the verdict. James' decision to annex the lands of Dunbarney to the crown was an important indication of his relations with his uncle. In 1424 he had probably backed Atholl's takeover of the estate at Douglas' expense, but ten years later the King decided against Earl Walter. In doing this he was surely not just concerned with tension between the two earls but with the possibility of further increasing the lands of the crown in Perthshire. It is also possible that the King's action was a deliberate display of royal authority over his two chief landed subjects. James enjoyed a posthumous reputation for quelling magnate disputes by the judgement of his court and, throughout his reign, there are indications that the King saw the personal display of his authority as an essential element of his rule.[88] This intervention

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87 Fraser, *Douglas*, iii, no. 400; N.L.S., ADV 20.3.8, f. 54. This latter document has on the back, "Procuration of Archibald earl of Douglas to resign lands of Dunberny into the hands of the Earl of Atholl". The earl's procurators are William Crichton, David Stewart of Durisdeer and William Fowlis, all royal councillors with additional ties to Douglas. Stewart and Fowlis had been involved in the King's decision over the land dispute.

88 *Scotichronicon*, XVI, Ch. 33, l 14-31.

in the lordship of Methven, the centre of Atholl's influence, was a very visible display of such a policy. The lands of Dunbarney provided about a sixth of the revenue of the lordship of Methven, and the loss of these estates was therefore not insignificant to Atholl in purely financial terms. However, the political implications of the King's actions were clearly more important and, in conjunction with the changes in the administration of the royal lands in the Perthshire highlands, suggests a deliberate attempt to modify the existing situation in the sheriffdom and the local dominance of Earl Walter.

Evidence of such attempts by the King to increase the landed revenue he received from Perthshire at his uncle's expense can hardly be construed as a major alteration in the political balance of the area. As the Earl of Strathearn and Atholl and the Lord of Methven as well as sheriff and justiciar, Walter was still the chief magnate in central Scotland. However, the King's actions in 1434-5 may be connected with a change in the balance of power and influence in terms of central government. As has been discussed, Walter was a major influence on James in the 1420s. He was a close supporter of the King in 1424-5 and benefitted as a result. In addition, Atholl was connected with the royal attack on the lordship through his younger son and was accorded an apparent precedence in royal documents, which indicates his status. James' actions in the 1430s suggest that he was turning elsewhere for support.

From 1430 major royal patronage was going, not to Atholl, but to the Earl of Angus and the Queen. Angus' increasing importance in the south-east has been described already, but his rise in the locality was presumably accompanied by a growth in the earl's significance as an influence on the King.[89] The growing political role of Queen Joan

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89 See Chapter 7, Section ii.

was clearly most important in this latter sense. The traditional view of the close co-operation of James and his wife can be supported from a number of sources. While the evidence of the *Kingis Quair* is perhaps not the best of these, the number of royal children and the lack of any known mistresses or bastards of James is an indication of a close relationship.[90] In political terms it is most significant that, after James' death, Queen Joan remained at the centre of a faction based on her husband's supporters, suggesting that she was closely identified with these men before 1437.[91] Joan's presence with James at the Inverness 'parliament' also suggests a degree of political activity, though her role as the intermediary for her husband's victims, recorded by Bower on at least two occasions, may be a stereotypical view of a Queen.[92] The importance of James' links with the Beauforts in Anglo-Scottish relations could also indicate the Queen's influence on royal policy.

However, the Queen probably only emerged as a major political figure in the 1430s when she was less restricted by the duties of child-bearing, having produced the required male heir in October 1430.[93] After 1431 she seems to have received major revenues for the first time. These included £100 from the customs of Aberdeen, £200 from Edinburgh after 1433, and a grant of 100 marks from the customs of Haddington.[94] She may have been promised these revenues soon after her marriage, as was the practice with other Scottish Queens, but, as with the Appin of Dull, had allowed James to maintain control of them until the mid-1430s.[95] Her rights to royal lands in

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90 *The Kingis Quair of James Stewart*, ed., M.P. McDiarmid (London, 1973), 28-60; *S.P.*, i, 19.
91 A.I. Dnlop, *Bishop Kennedy*, 23, 74-75; C. McGladdery, *James II*, 36.
92 *E.R.*, iv, 473; *Scotichronicon*, XVI, Ch. 16, l. 32-33; XVI, Ch. 33, l. 60-62.
93 *ibid.*, XVI, Ch. 16, l. 39-43.
94 *E.R.*, iv, 449-50, 508, 567-68, 575, 623-24, 627.
95 Balfour-Melville, *James I*, 248-49.

Perthshire may be connected with her residence in Perth. She was in the burgh in April 1435, while James was in Stirling, and in 1431 a payment was made to glaze the windows of her chamber in Perth, possibly in the Blackfriars.[96] There are two other indicators of the Queen's political importance from January 1435. Firstly the King refused to make a final settlement about the departure of his daughter, Margaret, for France until he had consulted the Queen.[97] While this may be a diplomatic ploy, an act of the parliament which forfeited March clearly displayed the King's political reliance on his wife. In this legislation the three estates promised to give their letters of "retinence and fidelity" to the Queen.[98] Combined with the 1428 act which ordered men succeeding to lands held of the crown or to high ecclesiastical office to swear an oath to Joan as to the King, this would have given the Queen theoretical authority subordinate to her husband, perhaps designed to take effect in the event of his death.[99] If the Queen was being endowed with the authority of her husband and was regularly residing in Perth, this may have been a source of concern for Atholl. As we will see, Joan was an active participant in the clash between Earl Walter and his nephew, as was the Earl of Angus. The behaviour of the three main beneficiaries of James' patronage during the crisis of 1437, may indicate tensions between them which had evolved from their rivalry for influence with the King during the 1430s.

However, these tensions were clearly not perceived as serious by the King and were probably under control until the fiasco at Roxburgh. It is possible that the promotion of Angus was deliberately intended by James to provide a balance for Atholl's

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96 *E.R.*, iv, 533; *H.M.C.*, vi, 691, no. 19-21.
97 Barbé, *Margaret of Scotland and the Dauphin Louis*, 56.
98 *A.P.S.*, ii, 23, c. 2.
99 *ibid.*, ii, 17.

influence. The actions of the King in 1436-7 certainly suggest that he considered any tensions with Atholl to be at an end. The events of the night before the King's murder, as described by John Shirley, show that the earl had ready access to James, and the whole plot suggests that the King was trusting of his uncle.[100] The royal patronage received by the earl's grandson, Robert Stewart, is a better indication of James' continued reliance on Walter and his kin. Robert was described by Bower as James' "intimate attendant, kinsman and member of the King's household" and, according to Shirley, Robert was "full familiar" with James who "loved him as his own son".[101] As Robert was clearly responsible for the security of the royal apartments it is possible that he had replaced William Crichton as the King's personal chamberlain when the latter became master of the household and the main royal officer in Edinburgh. Robert's importance in such a sensitive role is clear proof of James' attitude to his uncle, and the King's appointment of his familiar as constable of the host in 1436 looks like a reversal of an earlier royal policy of interference in Perthshire, allowing Robert precedence over Angus in the latter's area of influence.[102] In this light it seems that the King's support of Angus and the Queen instead of Atholl was merely part of his management of politics. Just as his promotion of Walter in the 1420s had been to balance the influence of Douglas and had coincided with James' erosion of Douglas' significance at the centre and locally, the King was seeking to prevent Atholl from attaining a dangerous degree of authority. Douglas was allowed a continued role in central politics until his clash with James in 1429-31, and Atholl was equally not excluded from contact with the King.

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100 *James I, Life and Death*, 54.
101 *ibid.*, 52; *Scotichronicon*, XVI, Ch. 27, l. 43.
102 *James I, Life and Death*, 52.

However, Atholl probably did not view the situation in these terms. His political success had been the result of his longevity and the tenacity he displayed in defending his position in Perthshire. He was ideally positioned to know the King's methods and in 1436 he clearly felt that he had reasons for concern. The earl's main worry was probably based around the prospects of his family. Of his two sons, the eldest, David, died between 1434 and 1437 as a hostage in London, while Alan, earl of Caithness, the younger, had been killed at Inverlochy.[103] The favours shown to Robert, David's son, were therefore significant in dynastic terms, and suggest he had ability, but in 1436 he was young and politically inexperienced and his reputation may have suffered from events at Roxburgh. As Walter was over seventy, the youth of his grandson and heir was an immediate problem. In the event of the earl's death, the future of his line was uncertain. Walter's most valuable lands, the earldom of Strathearn, were held only in life-rent despite his long struggle to secure them. In 1427, when he received the earldom, Atholl may have hoped to receive heritable possession of Strathearn from James, but royal efforts to increase the crown's lands in the 1430s must have made the earl aware that this was unlikely. Without Strathearn the family's lands were limited. Walter's other earldoms, Caithness and Atholl were far less valuable. Caithness probably provided very little income and Atholl had been a source of trouble for Walter since the 1390s. This left Methven and the Brechin-Barclay estates as secure possessions for Walter's successors, a patrimony which would limit the stature of Robert independent of the King's favour. If, as Shirley suggests, Robert Stewart was more active in plotting the attack on the King than his grandfather, this may be further

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103 *Panm. Reg.*, ii, 228-29; *Rot. Scot.*, ii, 285; *Scotichronicon*, XVi, Ch. 17, l. 4-9.

evidence that the Atholl Stewart family was increasingly concerned about its future prospects.[104]

However, the long political career of Walter makes it likely that he too would be aware of the significance of James' actions. On his death the interests of Walter's successors would be reduced to the lands he had held between 1406 and 1415 and would mean the reversal of his achievements since then. As we have seen, exclusion from Strathearn had not been acceptable to Walter during the ten years from 1406, and he seems to have used his political links within the earldom to work for his renewed control of it. This may have entailed Earl Walter supporting Drummond's murder of Patrick Graham, earl of Strathearn, in 1413 and almost certainly led him into conflict with the Albany Stewarts.[105] Although Walter's situation in 1436-7 was different, the ultimate threat to the Atholl Stewart family of losing Strathearn was the same. If the Earl of Atholl was prepared to resort to drastic action to safeguard his local position in 1413, he may have been equally ready to seize any opportunity to do so twenty-three years later. In these circumstances, distrust of the King would have been a natural result of observing his methods at close quarters, and Walter was probaly aware that the small-scale royal interference in his lands could become a major attack on his family without warning. Writing within a week of the murder, del Monte reported that the murderers were helped by some of James' guards whose parents had been fined by the King and forced to repay former gains to the treasury.[106] If del Monte is describing Robert Stewart, who acted as the King's guard, this supports the idea that

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104 *James I, Life and Death*, 52.
105 W. Drummond, *Genealogy of the House of Drummond*, 40-45.
106 R. Weiss, 'The Earliest Account of the Murder of James I of Scotland', in *E.H.R.*, LII (1937), 479-91, 489.

Atholl was dissatisfied by the change in royal attitude to him, and his gains, since 1433.

Atholl's readiness to take drastic action against the King may have arisen out of more than just defensive considerations. The view of Atholl as the "old serpent" plotting his way to the throne over the bodies of his rivals in fulfilment of a prophecy that he would be crowned, which is presented by Bower and *Pluscarden* and followed by subsequent Scottish writers, probably derives from the posthumous assault on the arch-regicide.[107] It should not be forgotten, though, that Walter was the last surviving son of Robert II and the closest adult male kinsman of James in 1436. In addition he had witnessed, and was to be implicated in, the political coups of 1402 and 1425 and was clearly prepared to employ agents to further his interests by violence. The seniority of the earl amongst the nobility had been stressed since 1424, and this would have fuelled his perceptions of his importance within the royal kindred. The acts of 1428 and 1435 had, however, confirmed the Queen's primacy in the kingdom in the absence of James, and this may have been a source of irritation to Atholl. Politics between 1371 and 1425 had been dominated by the relationships within this royal kindred and, as we shall see, Walter's education in this environment clearly played a part in his decision to launch a concerted attack on his nephew with the aim of seizing control of the kingdom.

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107 *Liber Pluscardensis*, XI, Ch. ix.

iii The Political Crisis of 1436-37

Despite the reasons for Atholl's growing distrust of the King and his intentions, his decision to take action must surely have been linked to the wider political situation in Scotland in the six months after the siege of Roxburgh. It is certainly unlikely that Atholl was behind any attempt on the King's person at the siege. This possibility is only suggested in sixteenth century chronicles and may be the product of a combination of tales about James' flight from the siege and a desire to increase the guilt of Earl Walter.[108] It could also come from the story in *Pluscarden* that the conspirators "had, from long times past, been plotting his (the King's) death".[109] However, this itself probably reflects the tradition that Robert Graham had already clashed with the King. In all it seems unlikely that there was an Atholl or Robert Graham inspired conspiracy at Roxburgh as Robert Stewart was the man apparently responsible for the siege. Until his flight, the King probably appeared to be in a good position and his success would surely have benefitted the Atholl Stewarts who were associated with his prosecution of the war. Instead, as we have seen, James' chief problem in August 1436 was with the borderers.[110]

It was in the six months between the fiasco at Roxburgh and the murder that the earl and his associates perceived that they had the motive and opportunity to kill the King. These conditions were brought about by the changes in the political situation from August 1436. Such changes resulted from the growing tensions between the King and the estates following the humiliation of the former at Roxburgh and evidence of continued pressure by James on Atholl's

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108 Bellenden, *Chronicles*, XVII, Ch. ix.
109 *Liber Pluscardensis*, xi, Ch. ix.
110 See Chapter 7, Section iii.

local position. Unfortunately given the significance of this period, the sources are limited. Any connections between the events of the autumn and winter of 1436-37 and James' murder are ignored by Bower and the accounts of Shirley and del Monte for this part of their narrative are confused, though not necessarily contradictory of each other.

It seems clear, however, both from del Monte and elsewhere, that the root of the political tension was the King's determination to continue the war against England despite his earlier failures. James' personal prestige had been tied to his attempt to re-capture Roxburgh and, given his determination to override initial setbacks in other areas it is quite likely that he was preparing to resume the war against England in 1437. Therefore, any cessation of hostilities after the siege would have been purely temporary, and there is certainly evidence of continued local warfare on the east and middle marches in the autumn and winter of 1436-37. This is despite English references to a commission in the west march to hear cases of truce-breaking, which was appointed in November 1436.[111] At about the same time, Heny VI issued a protection for Coldingham Priory in response to a letter from the monks.[112] The monks complained of attacks from both English and Scottish horsemen and of heavy damage to the lands of the priory, illustrating the difficulties of their 'foreign' status. These complaints could refer back to 1435 but for a special protection to be sought suggests that there was no truce in force and that the east march was an area of considerable cross-border warfare. In January 1437 Adam Hepburn is referred to as James' "lieutenant on the marches", suggesting a special role in the area, perhaps linked

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111 *Rot. Scot.*, ii, 295. A commission for "making of justice" was established for the east march in October 1436 (*ibid.*).
112 *ibid.*

to continued fighting during the winter.[113] Similarly, between July 1436 and August 1437, Nicholas Rutherford and Gilbert Lumsden were active on royal service in the marches "in time of war".[114] Lumsden was paid by royal order for the custody of Fast castle and Rutherford for "restoring the marches". Rutherford was rewarded by the council, presumably the government of James II, and his activities may be connected with Walter Scott's capture of Gilbert Rutherford which was also rewarded by the council in spring 1437.[115] This would suggest that there was widespread local fighting in the east and middle marches during late 1436 and early 1437, possibly as a result of the King's determination to continue the war into a second campaigning season.

If James actively encouraged border warfare after Roxburgh, his main aim seems to have been a new royal campaign against England. He may have been encouraged in this by the strains which were showing in the English military structure in late 1436. During the campaign of the summer, the garrison of Berwick had come close to mutiny over pay and the Earl of Northumberland reisgned as warden of the marches.[116] He was not replaced for four months in the west march and, although he appears once as warden of the east march in January 1437, the earl was only fully replaced in March of that year.[117] The absence of march wardens was linked to the financial problems for the English of waging war in Normandy, Picardy and Scotland during 1436, and it must have encouraged James to believe that a fresh military effort would meet with less resistance. A similar policy of repeated incursions was to prove successful for James' successor in the late 1450s.

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113 *C.S.S.R.*, iv, no. 343.
114 *E.R.*, v, 32.
115 Fraser, *Buccleuch*, ii, no. 34.
116 *C.D.S.*, v, no. 1030; R.L. Storey, 'Marmaduke Lumley, bishop of Carlisle', in *T.C.W.A.A.S.*, LV (1956), 112-31, 123-25.
117 *Rot. Scot.*, ii, 295-96.

The continuation of the war was probably one of the King's major concerns in calling two general councils between August 1436 and his death. The first of these was held at Edinburgh on 22 October 1436 and perhaps lasted until the end of the month while the second took place at Perth on 4 Feburary 1437.[118] The council at Perth was also to receive the Bishop of Urbino who had been appointed as papal legate to Scotland and who had received a safe-conduct to cross from England in November 1436.[119] The records of only the October general council survive but these suggest royal concern about Anglo-Scottish relations. Restrictions were placed on the trade of Scottish salmon to England and of English cloth to Scotland. Salmon could only be traded for gold and cloth as part of "ransom of Inglis men", suggesting a link with the military situation.[120] It was also forbidden to receive assurances or protections for lands and goods from Englishmen on pain of treason. Such private and local truces could only be made by the warden with royal permission.[121] This suggests that there was continued border conflict backed by James and that, like the Coldingham monks, other border landowners were anxious to reach private agreements with England, a process which the King was equally anxious to control. It may also be significant that the King excluded the past offences of borderers from legislation about the administration of justice.[122] Such acts indicate a special interest in the borders connected to the maintenance of local hostilities with England during the autumn and winter.

This legislation, however, only represents a minor part of royal policy. The real aim of the King seems to have been to gain financial support for renewed royal campaigning. This is only

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118 *A.P.S.*, ii, 23-24; *Scotichronicon*, XVI, Ch. 26, l. 25-28.
119 *Rot. Scot.*, ii, 295-96.
120 *A.P.S.*, ii, 24, c. 9, 10.
121 *ibid.*, ii, 23, c. 5.
122 *ibid.*, ii, 23, c. 1.

referred to in del Monte's account which says that, "therefore in this parliament, which, as we said, the late King called, he asked all present to give him a subsidy of money so that he could levy an army and lead the host against England and take revenge for his injuries by force and by arms".[123] Although Shirley's account does not mention the war against England, he does link subsequent events with the King's levying of taxation.[124]

Neither of these sources dates the grant of taxation or places it within a recognisable series of events. However, if any idea is to be reached of the lead-up to James' assassination, it is vital to date this indication of a deepening crisis which led directly to his murder. It seems most likely that the tax was sought by the King at the October general council. Del Monte says that the "parliament" at which James met opposition to his demands for a tax took place "in the previous months" which, as he was writing in February, could hardly mean the council at the beginning of that month.[125] However, Shirley's account of an apparently similar clash between the King and Robert Graham, as spokesman for the estates, in a general council appears to contradict this idea. *The Dethe* is confused at this point, possibly reflecting the use of more than one source, but it does mention two general councils. The first of these is the location of the clash between James and Graham but the second, where Robert contacted the murderers of the King, is dated as "All Hallowen" 1436, clearly the October general council of that year.[126] However, the whole account of the first council is vague and followed by a period of imprisonment, forfeiture and exile for Graham which

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123 R. Weiss, 'The Earliest Account of the Murder of James I of Scotland', in *E.H.R.*, LII (1937), 479-91, 485.
124 *James I, Life and Death*, 49.
125 R. Weiss, 'The Earliest Account of the Murder of James I of Scotland', in *E.H.R.*, LII (1937), 479-91, 484-85.
126 *James I, Life and Death*, 50.

could not have occurred in the months before the murder. It is possible that Shirley confused an account of Robert's arrest in 1424 with his knowledge of the clash between Graham and the King in 1436. Shirley may, as a result, have included the all hallows council, which he was aware was a significant event, but place it in the wrong part of his narrative. As well as fitting with del Monte, the February council was a much more plausible location for the murder plot to be hatched than the October meeting as it was closer to the date of the murder and held in Perth, the geographical centre of the conspiracy.

Comparison is possible between the accounts of the councils given by Shirley and del Monte. In the latter the King demands a tax on both his lay and clerical subjects in order to fight the English. His demand is made in a speech of "great scorn, imperiousness and proud authority" and "provoked hatred in the spirits of all who heard him". The royal demand alarmed the estates and they asked for a day's delay before responding. During this period they clearly chose a "man on whom the duty of answering was placed".[127] There are similarities with Shirley's version. In this a general passage criticises the King's taxation and has the "lordes" hold a private council at which Robert Graham promises to speak out against the King with the support of the others. The King then calls a parliament but Shirley is clearly confused as he has already stated that James was present in the council at which Graham became the lord's spokesman.[128] Shirley does, however, have a gathering of nobles, meeting to oppose the King's demand for a tax, electing a spokesman and this is similar in basic outline to del Monte's account. Both del Monte and Shirley then have the spokesman opposing the King's

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127 R. Weiss, 'The Earliest Account of the Murder of James I of Scotland', in *E.H.R.*, LII (1937), 479-91, 484-85.
128 *James I, Life and Death*, 49-51.

demands. However, while in del Monte his role is restricted to refusing the taxation, in Shirley Robert Graham "sette handes upon the Kyng" and attempted to arrest him "yn the name of all the Thre Astates".

This divergence of the two sources for the council places the possibilities for the King's clash with the estates on two levels, firstly the rejection of the proposed tax, and secondly, a possible attempt to detain the King by Robert Graham. The first proposal, based on del Monte's embellished account, is inherently probable. The determination of the King to continue the war, which del Monte describes, was quite likely to have been James' response to his failure at Roxburgh. The whole situation seems to have been similar to October 1431 when the King asked for the financial support of the estates to raise troops following Inverlochy. He wanted a paid army to match English military methods. The response of the estates also seems to have been similar to 1431 when, after initially accepting the king's demands, they caused enough obstruction to pressure James into a settlement with the lordship of the Isles a week later.[129] A similar time-scale in 1436 could have extended the council from 22 October to 31 October, the date recorded by Shirley.

In 1436, the estates would also have had strong reasons for refusing the taxation. Already during the year the King had asked for a "contribution" for the costs of sending his daughter to France. Although Bower states the James "sought the money courteously from individuals" and that it was paid "cheerfully and happily" by those asked, a reference to the account and returns from the contribution granted for Margaret's departure suggests that it was similar to other financial levies.[130] It is quite likely, in any case, that

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129 *A.P.S.*, ii, 20, c. 1; *Scotichronicon*, XVI, Ch. 16, l. 74.
130 *Scotichronicon*, XVI, Ch. 12, l. 41-46; S.R.O., GD 52/1.

James had diverted part of this earlier tax into his campaign of August, and this would have increased the opposition to a fresh imposition. The idea of paying regular taxes for war was a feature of English government which was clearly not welcome in Scotland and it was probably seen as a further part of James' long standing misuse of the financial rights of the crown. As a result, it seems unlikely that, despite del Monte's assertion that the King employed force to gain the grant of taxation, James was successful in pressing his demands. No legislation concerning such a tax exists and there is no reference to any payments collected, which suggests that James was unable to gain the money he sought.

For James to experience resistance to his attempts to extract money from the estates was hardly a new feature of his reign. However, Shirley suggests that the degree of opposition which the King aroused in the council led to some kind of attempt to remove him from power. According to *The Dethe*, Robert Graham was elected to articulate this opposition to James.[131] Such a role fits in with other elements of Graham's career. Shirley repeatedly refers to Robert as a man "wittyd and expert yn the lawe" and as "a grete legister of lawe positive and canone and civil bothe" and this may connect him with the son of Patrick Graham, who studied at the University of Paris in the 1390s.[132] Most significant for his role at the 1436 general council is the fact that in 1428 a Robert Graham was on the assize which deliberated in a dispute between Maxwell of Caerlaverock and Sinclair of Hermiston.[133] The members of the assize "layde thair speche on Robert the Grame for to gyfe furth the

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131 *James I, Life and Death*, 50.
132 *ibid.*, 50, 63, 64; *E.R.*, iii, 347. However this son of Patrick Graham has been identified as a Thomas Graham, a cleric, who was certainly studying at Orléans in the 1390s. As he cannot be firmly identified as a son of Patrick, though, it is quite possible that Robert was the student at Paris (Watt, *Graduates*, 232-33).
133 Fraser, *Carlaverock*, ii, no. 35.

determinatioun of thair decret". If Robert was trained in law and had served on at least one occasion as the speaker of an assize, he would have been a reasonable choice to give the estates' answer to the King in 1436.

However, the selection of Robert Graham of Kinpunt would also have had clear political overtones. In 1424 Graham had been associated with the opposition of Walter Stewart of Lennox to the King's return. He may simply have been replacing his brother, William, in the Lennox faction but he clearly represented enough of a threat to be arrested.[134] Although he was released without apparently suffering major punishment, Robert clearly continued to be hostile to James' policies and may never have been reconciled to renewed royal government.[135] For the estates, or at least part of them, to choose as their spokesman a man like Graham, who combined legal and speaking experience with personal opposition to James, may suggest a planned criticism of the King by a part of the political community in the council. Both Shirley and del Monte seem to indicate that Grham was chosen in a private meeting at which James cannot have been present. In *The Dethe*, Graham receives promises of support from the lords at this meeting for his speech to the King, implying a degree of prior agreement about Graham's actions in the council.[136]

Concerted opposition to royal demands for a tax and perhaps even a more general criticism of James' behaviour are, therefore, likely to have occurred at the October 1436 general council and this kind of clash is supported by del Monte's narrative. However, Shirley also states that Graham "sette handes upon the Kyng" and said, "I arrest

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134 *Scotichronicon*, XVI, Ch. 9, l 39.
135 Graham was clearly not forfeited or deprived of his family in 1424, a fate which Shirley says he suffered at James' hands (Fraser, *Keir*, 277; *H.M.C.*, XIV, app. 3, 16).
136 *James I, Life and Death*, 50.

you yn the name of all the Thre Astates". Robert also accused James of breaking his oath to "kepe" his people and the law. It is hard to believe that, if Graham was chosen to reply formally to the King's demands, he was also empowered to detain the King physically by a meeting of the estates.[137] This could point to Graham acting beyond his authority and over-estimating the backing which he could expect. If he was personally hostile to James, it is possible that Robert took isolated action in this way but, as with events four months later, it is dangerous to view the attacks on the King in 1436-37 as being the work of out-of-touch idealists. If Graham was seen in this light, it is hard to believe that he would have been placed in a position of importance at the council by his peers.

In 1436 the idea of arresting the King as a prelude to removing him from political power was not necessarily ridiculous. After all, the King had arrested his own predecessor in control of government at a meeting of the estates. In addition, during the 1380s two 'palace revolutions' had occurred, either at or closely connected to general councils. The events of 1384, when Robert II was reportedly seized by David Fleming, possibly acting for the Earl of Carrick, is especially interesting in comparison to 1436.[138] If Robert II was arrested at the council itself there are clear parallels, and Robert Graham may have had this precedent in mind when he took action. Although Graham was clearly mistaken in the belief that there was sufficient hostility to James to support his action, the idea of a political coup in a general council need not be dismissed.

For Graham to have thought in this way would have required him to possess a degree of political support in the council. He may, in any case, have needed this support to be appointed as a spokesman for

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137 *ibid.*
138 *Liber Pluscardensis*, X, Ch. xxi.

the estates. It is surely vital to the understanding of both the events of the October general council and the murder of the King in the following February that Robert Graham can be identified by 1436 as part of the connection of Walter, earl of Atholl. This connection was probably not of long standing, as Robert was clearly associated with his family's efforts to gain control of Strathearn in alliance with the Albany Stewarts. To this end in about 1399 Graham was married to Marion Oliphant, daughter of John Oliphant of Aberdalgie.[139] This position would seem to create considerable grounds for hostility between Atholl and Robert Graham. As has been discussed, Atholl was probably involved in the death of Robert's brother and subsequently excluded the Grahams from the government of Strathearn as tutor and then supporter of Robert's nephew, Malise. In addition, Atholl gave his support to James' elimination of the Albany Stewarts.

However, as with a number of other former supporters of the Albany Stewarts, after 1425 Robert seems to have become associated with Earl Walter. The connection of Robert to Strathearn probably made Atholl a natural source of lordship for him. His wife's family, the Oliphants, were vassals, neighbours and supporters of the earl, and Robert witnessed a grant of Atholl to Murray of Tullibardine at some point after 1433.[140] The connection with Strathearn was emphasised again in January 1433 when Robert Graham of Kinpont was recorded as the bailie of Leslie of Rothes for his lands in the earldom of Strathearn.[141] Graham's closest link with the Atholl Stewarts is provided by his inclusion in a safe-conduct for servants of David, master of Atholl, going to visit the latter in England in

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139 W. Drummond, *Genealogie of the House of Drummond*, 166.
140 *Scotichronicon*, XV, Ch. 23, l. 47-49; *H.M.C.*, vii, 706, nos. 27, 29; *S.P.*, vi, 534.
141 Fraser, *Keir*, 277.

May 1433.[142] Thus, during the 1430s Robert appears to have been a local official in Atholl's earldom of Strathearn and was in contact with the earl in a period of friction between Walter and the King.

Therefore, if Robert Graham did attempt to go beyond merely speaking out against the King, it is possible that he was acting in anticipation of support from the Earl of Atholl. There is no firm evidence for this, either in Shirley or elsewhere, but four months later the two men were in co-operation in an even more dramatic attack on the King. In the assassination plot it is clear that Atholl led from behind and that Robert Graham was most prominent in the actual murder. A similar arrangement could conceivably have existed at the council with Atholl leading those lords backing Graham, who Shirley reports failed to support him at the crucial moment. This failure may have been due either to Graham overstepping his commission or the realisation by Atholl that there was insufficient support from the estates for a coup of this sort. However, Earl Walter was clearly not directly implicated in Graham's outburst at the council as he remained in close personal contact with the King until the murder. As the earl was similarly to attempt to distance himself from the murder, this does not necessarily exonerate him from involvement in opposition to James at the general council, but it does suggest that his connection to Graham cannot have been blatant.

Both Shirley and del Monte suggest that Graham's leadership of the estates aroused considerable royal hostility. Del Monte states that James left the council chamber and returned with two hundred armed men, forcing the estates to comply with his demands for taxation.[143] As we have seen, the lack of corroborating evidence

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142 *Rot. Scot.*, ii, 281.
143 R. Weiss, 'The Earliest Account of the Murder of James I of Scotland', in *E.H.R.*, LII (1937), 479-91, 488-89.

suggests that, as in 1431, the King did not gain money from the estates, but he may have responded to Graham's speech with force. This reaction may have been connected by del Monte with the taxation, but could have been a personal attack on Graham for his criticism of the King's rule, which Shirley reports.[144] Whether Graham was arrested or not is unclear, but he was certainly at liberty again before the following February.

It seems apparent, therefore, that James' determination to persist with the war with England, which had already proved humiliating, met with a hostile reaction from at least a portion of the estates. This refusal to pay for a renewed royal campaign on the marches may have precipitated a wider attack on the King's policies at the October general council, perhaps even leading to a scuffle between James and his most vocal critic, Robert Graham. The lack of any evidence of major royal retribution for this may indicate that James was used to opposition from the estates along similar, though surely less drastic, lines, and that he did not associate further problems over the issue of taxation with a sustained political threat once the council had dispersed.

If Atholl was involved in the opposition to the King at the council, this could be linked to the earl's continued resentment of the treatment he had received from his nephew since 1433. His grandson's participation in the siege of Roxburgh may have made Walter even more insecure about the King's attitude.[145] Atholl may also have been prompted to make political capital out of the situation in 1436, exploiting the King's difficulties to his own advantage. However, the failure of Walter to back Robert Graham at the council suggests that there were still limits to his opposition

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144 *James I, Life and Death*, 50-51.
145 *ibid.*, 52.

to James. His links with Graham, though, must have put Atholl in a vulnerable position. The fear of James becoming conscious of political links between the two men and taking sudden action may have weighed on Walter during the winter and been a factor in his decision to launch a more determined assault on the King.

The worries of the earl may have been exacerbated in early 1437 by a new threat to his local position in Perthshire as a result of royal action. This was caused by the death of Robert Cardeny, bishop of Dunkeld, on 16 or 17 January 1437.[146] As Cardeny's diocese included the areas of Atholl's main political interests this vacancy was obviously of concern to Earl Walter. Although there is nothing to suggest tension between the earl and the bishop after 1424, it is unlikely that there was comfortable co-operation either, as Cardeny was closely associated with a number of the northern Perthshire families who had opposed Walter in the 1390s. Cardeny's brother was a local landowner and his sister, Mariota, had been the mistress of Robert II.[147] Her children by this union, the Stewarts of Cardeny, were in dispute with Albany and his supporters over Perthshire lands in the 1380s and 1390s.[148] Another of Cardeny's nephews, Donald MacNaughton, had received a series of benefices from his uncle and was dean of Dunkeld from 1420.[149] He was closely linked to Robert's administration of the diocese and, in 1439, was recorded as a kinsman of Duncan Robertson of Struan.[150] This family were probably also connected to Cardeny by Nicholas de Atholia, who was precentor of

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146 A. Myln, *Vitae Dunkeldensis Ecclesiae Episcoparum*, Bannatyne Club (Edinburgh, 1831), 17; *Scotichronicon*, XVI, Ch. 26, l. 31-32.
147 In 1420 Atholl granted lands in Strathearn to William Cardeny, possibly the bishop's nephew, and William also appeared on an assize held by Atholl at Perth in 1434. This possibly suggests good relations between the earl and the bishop as well in the 1420s and 30s (*Coupar Angus Chrs*, no. cxxviii; *H.M.C.*, vii, 706, no. 24).
148 *E.R.*, iv, clxviii, clxix.
149 Watt, *Graduates*, 368-70; J.H. Burns, 'Scottish Churchmen and the Council of Basle', in *Innes Review*, 13 (1962) 3-53; *C.S.S.R.*, i, 204.
150 Myln, *Vitae*, 16-18; *H.M.C.*, vii, 707, no. 33.

Dunkeld and went to the Council of Basle with MacNaughton.[151] Therefore, during the 1420s and 1430s the cathedral of Dunkeld was dominated by a close-knit group from the immediate vicinity. This would connect them to the Atholl families who were gradually being brought under Earl Walter's influence in the early 1430s. As events were to prove, however, this influence was fragile and the death of Robert Cardeny and the subsequent royal reaction may have put it under strain.

Following Cardeny's death, the cathedral chapter elected Donald MacNaughton as their bishop.[152] Given his links to the chapter and the previous bishop this choice is not surprising and must have been acceptable locally. The date of the election is not clear but probably occurred quickly after the death of Robert. However, the King was close to these events, having left Edinburgh after 21 December and gone north to Perth for Christmas.[153] James was certainly at Perth with his council on 1 January and was also able to react quickly to Cardeny's death.[154] By 16 February at the latest the chapter's election of MacNaughton had been reversed "in ignorance perhaps" of the reservation of the diocese to Rome.[155] Instead the chapter elected James Kennedy as bishop of Dunkeld. Kennedy was a canon of the cathedral but was clearly not a part of the 'native' group in the chapter.[156] His election, as with the other benefices which he had received prior to 1437, were due to the backing of the

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151 Watt, *Graduates*, 18-20; *C.P.R. Petitions*, i, 507; *C.S.S.R.*, ii, 71.
152 Myln, *Vitae*, 17-18.
153 *Liber S. Thome de Aberbrothoc*, Bannatyne Club, 2 vols. (Edinburgh, 1848-56), ii, no. 79; S.R.O., RH 6/294; *James I, Life and Death*, 52; *E.R.*, iv, 663.
154 S.R.O., RH 6/295.
155 *C.P.R. Letters*, viii, 653; A.I. Cameron, *Apostolic Camera*, 23.
156 *C.S.S.R.*, iii, 220-21.

King, his uncle.[157] The choice of James Kennedy may have been due to his ecclesiastical links with Bishop Cameron of Glasgow, who was at Basle, and the fact that he would probably back his uncle's policy as regards the church.[158] It also suggests that Kennedy was not hostile to his uncle over the imprisonment of his elder brother in 1431.

While the King acted to secure the appointment of his nephew, who was to prove to be a supporter of the Queen and her allies in the years which followed, his choice must have created problems in northern Perthshire.[159] The local lay and ecclesiastical connections of MacNaughton were presumably not happy with the quashing of the election. It is conceivable that these Atholl-men would look to their earl for backing in this situation. Walter may, therefore, have believed that his relations with the Robertsons and their neighbours were being jeopardised by the King's appointment of Kennedy. This may in turn have had an effect on the Atholl families who were to show clear limits in their loyalty to Walter in March 1437. It is also interesting that, before June 1437, Donald MacNaughton received the prebend of Invernochty in Aberdeenshire and the church of Weem.[160] Atholl was lay patron of Weem and it is conceivable that it was granted by the earl to tighten his links with the Dunkeld chapter. This would be especially significant if the grant took place between Kennedy's election and the King's murder. However, it is also possible that both benefices were granted to MacNaughton by the government following the murder. Such grants could have been as compensation for the election or as rewards for

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157 He was also sub-dean of Glasgow and rector of Tannadice and had accompanied Princess Margaret to France in 1436 (A.I.Dunlop, *Bishop Kennedy*, 10-19).
158 *ibid.*
159 *ibid.*, 19-76.
160 *C.P.R. Letters*, viii, 628; Watt, *Graduates*, 368-69.

MacNaughton's actions in the month after the King's death, perhaps in connection with his kinsmen the Robertsons.

The election of James Kennedy as bishop of Dunkeld was, therefore, not only an additional strain on Walter's relations with his vassals in northern Perthshire but also represented the promotion of a royal protegé to the diocese which included Atholl's main estates. There may have been personal reasons for hostility between Atholl and the new bishop arising from the events of 1429-31, and it is possible, therefore, to see James' handling of the election as a new phase of royal interference in his uncles' area of influence. Given also the creation of a landed role for the Queen in Perthshire Atholl may have felt under considerable pressure. The election of Kennedy may have added to the earl's fears for the long-term survival of the Atholl Stewarts in Perthshire in the face of opposition from the King, the Queen and the local bishop. As evidence of new royal interference, the election may have convinced Walter of the King's attitude to him and would have suggested strongly that James would retain control of Strathearn, when it came into his hands, as part of this royal policy.

It may have been in the immediate aftermath of Kennedy's election, probably in late January, that Atholl made the decision to back an attempt to kill the King and try to gain control of central government. Since August 1436 James' position had clearly come under fresh criticism for his handling of the war and this was compounded by his demands for a financial contribution to renewed fighting. The October general council clearly dissolved into a violent dispute between James and the estates and may have culminated in a physical attack on the King. Walter may have been involved, or at least implicated, in these events and feared guilt by association with them. He also appreciated by February that his loss of influence was

probably not just temporary and would prove fatal to family interests if the situation simply continued. Finally he may well have believed that the means were available to kill the King and survive and gain control of central government.

iv Murder at the Blackfriars

Although it seems plausible that Atholl was involved in a conspiracy to kill the King from about the time of the February general council at Perth, there is some doubt in the sources about the earl's actual responsibility for the attack on his nephew. Bower states that Walter was behind the assassination and that, according to his confession, "it was he who ordered his grandson Robert Stewart, Robert Graham and a few other accomplices to kill the King ... so that he might imperceptibly take over the government of the kingdom".[161] However, in a later version of the *Scotichronicon*, the source for this information is changed from the earl's confession to a rumour of the time. Bower also relates the story of Atholl being prompted by a prophecy that he should wear a crown.[162] In contrast, Shirley has Robert Graham as the motivating force behind the murder. It is Graham who contacts the other murderers and recruits Robert Stewart as the representative of the Atholl family. The earl's own involvement in the plot is limited. Shirley says that he was "of that treison and counsell, as hit was said and by hymselfe secretely desirid and covetid to have the corone".[163] While this encouraged Graham to act, there is no direct link drawn by Shirley between Atholl and the conspiracy. In *The Dethe*, Walter uses this as his defence after his capture. He says that he knew of the plot but did not reveal it because of his grandson's involvement, attempting instead to persuade Robert to abandon the enterprise.[164]

These two accounts have had a considerable effect on the subsequent view of the murder. Bower was followed by the Scottish

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161 *Scotichronicon*, XVI, Ch. 27, l 30-33.
162 *ibid.*, XVI, Ch. 36, l 39-44.
163 *James I, Life and Death*, 52.
164 *ibid.*, 62.

chroniclers of the fifteenth and sixteenth centuries, while Shirley's tentative exclusion of Atholl from responsibility for the murder has led to the deed being considered as a scheme hatched by a group of isolated and desperate idealists. However, Bower is probably basing his version on the attacks of the government on Atholl after the murder, and it is possible that Shirley largely repeats the defence by the earl of his actions in the aftermath of his arrest. This is clearly of significance in showing Walter's attempt to distance himself from the crime, which was probably a fundamental part of the whole conspiracy. It should not necessarily be accepted at face value any more than Bower's story of Walter's attempt to fulfil a gypsy prophecy.

As has been shown, the Earl of Atholl was a major figure in landed and political terms in 1437. He possessed a network of supporters based on his Perthshire lands, many of whom had been connected with him since the 1390s. As the head of this affinity and the closest male kin of James I, the earl was clearly best positioned to benefit from James' death, especially if the Queen was also removed. Since 1433 Atholl may also have seen himself as being under threat from the King's actions in Perthshire. This conjunction makes his passive acceptance of an attempt to kill the King, without working to secure its success, a scarcely credible course of action. It is possible that Robert Graham who, according to Shirley was hiding in "the cuntreis of the Wild Scottis", approached Atholl with a plan to kill the King.[165] As Robert was connected to the lands and household of the earl and may have been aware of the increased friction between Walter and the King since the Dunkeld election, such an approach would have been natural if Graham was seeking political backing for an attack on James. It is, though, possible that, if he

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165 *ibid.*, 51.

was contemplating a drastic move against the King, Atholl would turn to Graham, as a man within his affinity with personal grievances against James, to lead a raid on the royal household. In either case it seems likely that the prospect of Atholl and his grandson's active support both during and after any assassination attempt would turn what has been seen as a suicide mission into the murder of James as part of a wider seizure of power within Scotland.

The men involved with Robert Graham in the attack on the Blackfriars bear out the idea that, in this part of the conspiracy, the influence of both Atholl and Graham was at work. The initial approaches to these men may well have been made by Graham at the general council at Perth which met on 4 February. As has been mentioned, Shirley says that Graham began to plot James' murder at the October general council, but it seems more likely that Graham's first action was in February at Perth. According to *The Dethe*, Graham

> sent privie messages and letturs to certayne men and servantes of the duke of Albanye, whome the Kyng a litill afore hade done rigorusly to deth ... that if thay consent and faver hym he wold uttirly take upon hym for to slee the kyng lest thrugh his tyrannye and covetise he would destruy this reume of Scotteland.[166]

This link between the Albany Stewarts and the men who were gathered by Robert Graham to murder the King has often been dismissed by historians. It is, however, a major feature of the accounts written by Shirley, Monstrelet, Waurin and Chartier within a generation of the event.[167] Shirley begins his account with the death of Rothesay at the hands of Albany and Douglas, and when James

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166 *ibid.*, 51.
167 Monstrelet, *Chroniques*, v, Ch. ccxi; Waurin, *Chronicles* (1431-1447), 208-16; Jean Chartier, *Histoire de Charles VII*, Ch. 127.

returns to Scotland, Buchan and Douglas depart for France "for fere of the piteous dethe of the duke of Rosey".[168] Similarly Albany and his allies are executed by James "because of the false murdure of his brother the duke of Rosay".[169] This idea of a blood feud in the Stewart line is brought up by the "lordes" who choose Graham as their spokesman and are disturbed by the King's attack on his own kinsmen.

As we have seen, there was certainly an element of the blood-feud in James' assault on the Albany Stewart affinity in 1424-25.[170] The King's victimisation of Lindsay of Rossie and John Wright can surely be linked to their role in Rothesay's downfall over twenty years earlier.[171] Such an attitude was identified by Shirley as a major factor in the King's action and it is also possible, therefore, that he was correct in identifying a similar desire for revenge in the motives of James' own assassins. Similar long political memories were connected with Fleming's death in 1406, which *Pluscarden* linked to Robert II's arrest in 1384, and the murder of John, duke of Burgundy in 1419.[172] John was killed by a group of assassins led by a former servant of Louis, duke of Orléans, who had himself been murdered twelve years earlier on John's orders. In the light of this, it would not be impossible for a number of James' murderers to be motivated by a desire for revenge stemming from the destruction of the Albany Stewarts.

Such motives would, however, depend on links between the assassins and the dukes of Albany. With a number of the murderers, evidence of such connections seems to exist. This is clearest with regard to the Chambers brothers, Christopher and Thomas. The

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168 *James I, Life and Death*, 47-48.
169 *ibid.*, 49.
170 See Chapter 3.
171 N.L.S., ADV 34.6.24, 189r; *R.M.S.*, ii, no. 655; *Scotichronicon*, XV, Ch. 12, l. 35-55.
172 *Liber Pluscardensis*, X, Ch. xxi; R. Vaughan, *John the Fearless*, 276-86.

involvement of these brothers in the murder is recorded by Shirley and *Pluscarden* and verified by records of Thomas' execution.[173] John Shirley describes Christopher as "a squyer of the dukes hous of Albanye", implying that this was the reason that he was involved in the conspiracy.[174] The same man has been identified with the Christopher Chambers of Perth who was owed 27 nobles by the King in 1435.[175] While this is unlikely as a motive for murder, it does show that the Chambers brothers were Perth burgesses and *Pluscarden* confirms this by saying that Christopher and Thomas were "sons of John Chambers a burgess of the city of Perth".[176] John Chambers was probably the man of that name who was custumar of Perth between 1409 and 1430.[177] His importance in the burgh was probably linked to his relations with the Albany Stewarts. In 1415 he received payment of the pension of Robert Stewart of Fife, Murdac's eldest son and in 1419 he witnessed a grant of lands to Alexander, son of Stewart of Lorn, as "chamberlain of the Duke of Albany".[178] He was possibly also related to two other Albany adherents who witnessed the same charter, Christian Chambers and John Chambers of Glassie. Christian was secretary of the Earl of Buchan and clearly went to France with his master, surviving into the 1430s as the captain of Charles VII's Scots archers. Chambers of Glassie was a Fife vassal of the Albanies from near Falkland.[179] Though Chambers was a common name, this 1419 charter was granted at Perth, reinforcing the idea of a burgess family from the town closely involved in the household of the dukes. In 1437, therefore, it is quite possible that the sons of John were

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173 *R.M.S.*, iii, no. 316.
174 *James I, Life and Death*, 51.
175 *E.R.*, iv, 662.
176 *Liber Pluscardensis*, XI, Ch. ix.
177 *E.R.*, iv, 89, 109, 514.
178 *ibid.*, iv, 225; Fraser, *Grandtully*, i, no. 7.
179 W. Forbes-Leith, *Scots Men at Arms in France*, i, 32, 43, 156, 158; ii, 1-2.

prepared to take action against James in revenge for his destruction of the Albany Stewarts.

While, as will be discussed, a number of the other murderers had similar backgrounds to the Chambers brothers, links between them and the Albany Governors are less obvious. However, *Pluscarden* says that two brothers "of the name of Barclay of Tyntis Muir" were accomplices in the murder.[180] It is hard to identify these men exactly, but they were obviously north-eastern Fife landowners and part of the numerous Barclay kindred from the sheriffdom. A number of this family were connected with the Albany Stewarts as vassals of the earldom of Fife. In 1413, William Barclay was Duke Robert's marshal, and in the early 1420s, David Barclay of Luthrie was a close supporter of Murdac.[181] If the brothers held lands at Tentsmuir, they were probably vassals of Wemyss of Reras, another adherent of the dukes.[182] It would, therefore, be surprising if men named Barclay, who held lands in Fife, did not have some link to the Albany Stewarts.[183] Such a link would provide a valid motive for participation in the attack on the King along the same lines as the Chambers brothers, giving clear substance to Shirley's idea that the murderers themselves were acting, in part, out of a desire for revenge.

It is probably also of significance that the murderers were largely burgesses of Perth. As we have seen, the Chambers brothers were sons of the burgh custumar and it is possible that John and Thomas Hall possessed a similiar background.[184] There is no evidence of the geographical origins of the Hall brothers, but in 1419 a

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180 *Liber Pluscardensis*, XI, Ch. x.
181 *E.R.*, iv, 171; *Laing Chrs*, no. 99; Fraser, *Wemyss*, no. 35; *R.M.S.*, i, nos. 934, 944.
182 *R.M.S.*, ii, no. 1245.
183 As Atholl had inherited the Barclay-Brechin lands through his marriage in 1378, these men may have had kinship ties to Earl Walter.
184 The involvement of these men in the murder is mentioned by Shirley and *Pluscarden* (*James I, Life and Death*, 58; *Liber Pluscardensis*, XI, Ch. ix).

Thomas Hall is recorded as shipping wool without customs which, if it refers to the same man, would suggest a mercantile background.[185] A reference in a charter of 1475 to a Henry MacGregor, who held a tenement in Perth, being hanged for the murder of the King is further evidence of the involvement of men from the burgh in the plot against James.[186] That Henry was not a prominent member of the conspiracy may indicate that a number of otherwise unrecorded burgesses also participated. This widespread involvement of men from the burgh may be connected with the pardon by James II "for the slaughter of his progenitors" issue to Perth, which was dated 27 April 1437.[187] As the murder was probably planned in Perth and was carried out in the burgh, it is hardly surprising that a number of local men were closely implicated in the deed.

The importance of these burgesses in the murder of James has led to the suggestion that there was a financial motive behind the killing, linked to the debt which the King owed Christopher Chambers. However, killing your debtor is hardly the best way to ensure repayment, and for this kind of action to be taken independently by burgesses as a result of royal exactions would make the event without precedent in late Medieval western europe. The importance of Perth to the conspiracy must be linked to its former role as a centre of Albany influence and the fact that, from his castle at Methven, Atholl was the most significant magnate in the area after 1425. The links between the dukes and Perth are reflected in the role of the Chambers family, and the Albany Stewarts used the burgh as a base far more frequently that Edinburgh. Atholl's importance in Perth after 1425 is equally clear. He was the local sheriff and his deputy in that office, John Spens, was custumar and provost of Perth from

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185 *E.R.*, iv, 401.
186 *R.M.S.*, ii, no. 1203.
187 *P.S.A.S.*, xxxiii, 437.

1421.[188] Equally Earl Walter appears to have established close relations with a number of former Albany servants following Murdac's execution. Both John Wright, the keeper of Falkland for the Albanies and gaoler of David, duke of Rothesay, and Nicholas Hunter, Duke Robert's secretary, appear in Atholl's household in the 1430s.[189] Hunter held a benefice near Perth and witnessed with the Chambers family in 1419.[190] Given these connections it is not inconceivable that Walter enjoyed links with the murderers. A Patrick Barclay was an Atholl Stewart servant who attended the earl's son in England and may have been one of the murderers of that name.[191] Similarly, if Thomas Chambers of Perth was a member of the royal household in 1437, his position may have been linked to Robert Stewart's proximity to the King.[192]

If the men who were to carry out James' murder can be identified as adherents of the Albany Stewarts from Perth and Fife, some of whom transferred their support to Atholl after 1425, then Robert Graham was a natural leader of this group. Although having more important lands and kin than the other assassins, Robert had a similar political background to them and they may have shared a similar degree of hostility towards the King. It is, therefore, quite likely that at the general council which met at Perth in early February, Graham got in touch with men whom he knew through their connections with Atholl to be violently disaffected with James' rule.

It is possible to believe that, despite his clear links with Graham and a number of the other murderers, Atholl's guilt was only by association with a plot which was hatched in his household. However, it seems likely that two other men were involved in the

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188 *E.R.*, iv, 345; *H.M.C.*, vii, 706, no. 27.
189 *Rot. Scot.*, ii, 275, 276.
190 *C.S.S.R.*, i, 184; ii, 94; Fraser, *Grandtully*, i, no. 7.
191 *Rot. Scot.*, ii, 273.
192 *James I, Life and Death*, 58.

murder whose principal links were with Walter and whose participation in the act points to the earl as the man ultimately responsible for the attack on the King. In all the accounts of James' murder, Robert Stewart, the grandson of the earl, was involved in the events at the Blackfriars. Bower simply groups him with the murderers ordered to do the deed by Walter, but Shirley and *Pluscarden* suggest his role was more specific and limited. *Pluscarden* says that Robert was associated with the murder and *The Dethe* that he was responsible for the murderers' entry into the Blackfriars in Perth.[193] This is a plausible role for Robert if, as both Bower and Shirley say, he was "an intimate attendant ... and member of the King's household" and was responsible for the security of the royal apartments.[194] The close proximity of Robert Stewart to the King made his role on the night of the murder essential to the success of the enterprise. Stewart of Atholl's involvement in the assassination is, however, a much more direct link between his grandfather and James' death. Shirley states that Walter claimed his heir's participation in the conspiracy was without his consent though he was aware of the plot.[195] For this to be true would mean that the murder was planned in Atholl's household, involving his grandson and a number of his servants, and that the earl was prepared to allow it to continue but remain passive. It is surely more likely that Atholl fostered the plot against the King, and Robert Stewart's involvement, although it implicated the earl more directly, was essential to the murder. The statement reported by Shirley would, however, fit as part of Atholl's defence after his capture.

Another man whose political career made him unmistakably a supporter of Earl Walter may also have had a crucial role to play in

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193 *Liber Pluscardensis*, XI, Ch. ix; *James I, Life and Death*, 55.
194 *ibid.*, 52.
195 *ibid.*

the attack on James. John Spens was, as we have seen, deputy sheriff of Perth and provost of the burgh, and as, from at least 1409, he was associated with Atholl as a witness to his charters and a member of his household, it seems reasonable to identify Spens as the main local agent of the earl.[196] Spens held lands in the Lennox, Fife and Menteith, presumably making him more than just a household servant of the earl, but this seems to have been the reason for his increased importance after 1424. John was clearly a trusted royal supporter by the late 1420s and received grants of new lands in Fife and Menteith from the King, possibly to guarantee the royal position in these ex-Albany earldoms. In addition to these charters of 1426 and 1433, the King confirmed Spens in his estates in 1431.[197] This local role as a royal supporter in the old Albany Stewart earldoms may have contributed to Spens' first involvement in central government. Between 1428 and 1431, he was the comptroller, the man responsible for the administration of crown lands.[198] The King's appreciation of Spens is also shown by his appearance on the judicial committee which forfeited March in 1435.[199]

The most important indication of royal trust in John Spens was his appointment as steward of the King's heir, James, duke of Rothesay. This probably took place in, or soon after, 1431, when Spens relinquished the office of comptroller. In 1431, Spens was responsible for paying the young duke's expenses in Doune castle, though actual custody of Rothesay apparently rested with Michael Ramsay of Lochmaben.[200] As has been mentioned, Ramsay was an official of the Earl of Douglas and his removal in about 1431 may

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196 *R.M.S.*, i, no. 910; *Coupar Angus Chrs.*, no cxxviii; *H.M.C.*, iv, 507; vii, 706, nos. 21, 29; *E.R.* iv, 614; Fraser, *Douglas*, iii, no. 399.
197 *R.M.S.*, ii, nos. 45, 187; S.R.O., GD 1/1042/2-3; RH 6/291.
198 *E.R.*, iv, 466, 544.
199 *A.P.S.*, ii, 22-23.
200 *E.R.*, iv, 529.

have been linked to the clash between the King and the earl in that year. The appointment of Spens, an adherent of Atholl, may have seemed a natural decision in the circumstances as relations between Walter and James were close at this point. In the accounts of 1434, Spens appears as steward of the Duke of Rothesay and received payments for the duke's household, which seems to have been moved to Edinburgh castle.[201] Payments for repairs to the fortress include money "for re-building the kitchen of the Duke of Rothesay", suggesting permanent apartments were under construction for the prince in Edinburgh. Spens was still the steward of the duke in 1435 and there is no reason to think that he was removed from the office prior to the murder.[202]

John Spens' position as the head of the household of the heir to the throne must be significant in the circumstances of February 1437. Despite the obvious signs of royal trust in Spens, the Perth man's links with Walter, earl of Atholl, were of far longer standing and their close co-operation in Perthshire probably meant that Spens remained primarily an adherent of Atholl. If this was the case then John Spens may have been a party to the conspiracy against the King which the earl and his followers were planning. Although Spens does not appear in any of the accounts of events of February and March 1437, these are all dominated by the King's murder, and Spens' role was probably elsewhere. As the man with day to day custody of the heir to the throne Spens was probably intended to deliver political and physical control of the Duke of Rothesay in conjunction with the attack on the King. The sudden changes which appear to have taken place in Rothesay's household at the time of James I's murder may

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201 *ibid.*, iv, 603.
202 *ibid.*, iv, 622.

support the idea that Spens had a specific role to play in Edinburgh castle as part of Atholl's conspiracy.

The probable involvement of John Spens and Robert Stewart in the attack on the King surely indicates that James' murder was part of a deliberate coup d'état for which Atholl was responsible and which would leave the earl as the man in control of the government of the realm.[203] The King was to be murdered by a small group of assassins, led by Robert Graham, while he stayed at the Perth Blackfriars. None of the other murderers was politically important, being burgesses or minor landowners, but at least some of them were former Albany retainers motivated by hostility towards the King and a desire to obtain renewed patronage after his death. Both these facts were important. In the event of failure or success Atholl could distance himself from the actual murder by blaming it on local men only tenuously linked to his household, who had long-standing grudges against the King. The earl's grandson was to be involved in the murder only as much as was necessary to gain access into the Blackfriars. While the assault on the royal household was clearly aimed at removing the King, and perhaps also the Queen, Atholl seems also to have been in a position to secure the heir to the throne, which was equally important in any attempt to seize power. It was surely only with a good chance of success in both Edinburgh and Perth that Walter would have been prepared to undertake such a venture after his long and calculating involvement in Scottish politics.

The preparations for this attack on James presumably took place in the fortnight or so between the general council at Perth and 20 February. Due to the Atholl Stewarts' apparent proximity to the King during this period, the assassins could presumably have been

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203 The motive ascribed to him by Bower (*Scotichronicon*, XVI, Ch. 27, l. 30-41).

confident that James was unaware of these preparations and would remain in Perth until they were complete. The King's choice of the Dominican Friary at Perth as his residence also had implications for the conspiracy. The Blackfriars was probably the normal resting place of the King while he was in Perth. The monastery may have replaced the castle in this role when the latter fell into disrepair, and there were clear links between the friary and James' predecessors in the fourteenth century.[204] Bower reports that the October 1433 general council was held in the church of the convent and it seems plausible that this was the location for most, if not all, of the meetings of the estates which James summoned to meet at Perth.[205] The dispute between Atholl and Douglas in the 1430s was heard by the King in the vestibule of the friary, presumably indicating that the royal council also met at the Blackfriars.[206] While in Perth James probably resided in the King's house in the Blackfriars which was repaired by James II in 1450 and which was referred to in the sixteenth century as a palace.[207] Alongside these royal apartments was "ordenyd ... a faire playing place for the Kyng" which suggests a regular residence within the Perth Blackfriars.[208]

The King's presence at the Blackfriars in February 1437 gave several advantages to the murderers. Firstly, as it was the local centre of royal government the convent was presumably well known to the Perth burgesses amongst the assassins. More importantly the location of the Dominican house improved the chances of a successful attack on James. The Blackfriars lay to the north of Perth outside the wall and ditch which surrounded the burgh, and was separated from

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204 S. Cowan, *The Ancient Capital of Scotland* (London, 1904), i, 100-102.
205 *Scotichronicon*, XVI, Ch. 23, l. 10-11.
206 *E.R.*, vi, 245-46.
207 *E.R.*, v, 378; T.H. Marshall, *The History of Perth* (Perth, 1849), 503-504.
208 *James I, Life and Death*, 56.

the Tay by the North Inch, an area of open public ground. Although the church, cloister and conventual buildings of the Blackfriars, as well as the King's house, were surrounded by a ditch themselves, it was clearly possible to approach the friary without alerting the burgh.[209] It was appreciated after the murder that the King was insufficiently defended in the Blackfriars, both in terms of the defences of the house and the number of men with him. This latter factor was specifically addressed by Bower, who saw it as linked to James' lack of personal fear, and it is significant that the King constructed another unfortified residence at Linlithgow.[210] Bower's statement about the lack of "brave men" around the King makes it likely that there was no organised defence of the Blackfriars, though Shirley mentions servants "logid yn his said court", indicating that James was not completely isolated.[211] The Blackfriars was, however, exposed to an approach from the north and, as Atholl and Robert Stewart clearly dwelt elsewhere themselves, the King was probably only accompanied by his and his wife's personal servants.[212] The local knowledge of the murderers and their access into the household must have made them aware of these advantages and led them to believe that they could successfully attack the King.

The reason for choosing the night of 20 February as the time of the attack is not clear. The fortnight between the council and the murder must have been a dangerous period for the conspirators. Shirley refers to omens and warnings about the conspiracy at this time. While these were partly dramatic devices based on hindsight, the stories may reflect a degree of tension at court. Especially interesting is the story about a squire trying to warn the King

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209 *ibid.*, 55.
210 *Scotichronicon*, XVi, Ch. 36.
211 *James I, Life and Death*, 60.
212 *ibid.*, 55.

following a dream about the murder and being silenced by the Earl of Orkney.[213] Orkney was in James' household and may have been acting to prevent such rumours causing trouble. Similarly, a story about Christopher Chambers approaching the King to make him aware of his tyranny could be derived from memories of tensions around the King in the opening weeks of February.[214]

However, the King clearly remained ignorant of the conspiracy and, according to *The Dethe*, on the evening of 20 February was in the company of Atholl and Robert Stewart "occupied att the playing of the chesse, att the tables, yn reading of Romans, yn singyng and pypyng, yn harping, and in other honest solaces of grete plesaunce and disport".[215] The presence of the Atholl Stewarts was an indication of continued royal trust in the family and was probably part of the plan to allow Earl Walter to claim ignorance of the plot. As we have seen, however, the most important aspect of this attendance on James was to give Robert Stewart the opportunity to prepare the way for the murderers to enter the Blackfriars. Shirley says that Robert Stewart was the last to leave the King and that he "had all his commandementes yn the chamber", probably indicating that he was responsible for the security of the house. Instead, in *The Dethe*, Stewart "left the Kynges chamburs doore opyne, and had brussed and blundird the lokes of hem yn such wise that no man myght shute hem".[216] Later writers include Robert Stewart amongst the murderers, presumably following Bower.[217] The murderers' entrance into the Blackfriars is, therefore, facilitated by another man. The *Extracta* says that it was "a certain Chalmers, a familiar of the King", Boece that "ane of the Kingis familiaris" was responsible, and Lesley that

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213 *ibid.*, 53.
214 *ibid.*, 54.
215 *ibid.*
216 *ibid.*, 55.
217 *Scotichronicon*, XVi, Ch. 27, l. 30-31.

"ane quha was cheife in the Kingis court, his name Jhone ... he dingit out the bar".[218] These accounts probably result from an attempt to reconcile the roles ascribed to Robert in Bower and Shirley. Thus, Robert Stewart is named as a murderer but the story of a traitor in the household is retained. Given the nature of the conspiracy and the statements in both the *Scotichronicon* and *The Dethe* about Stewart's familiarity with the King, it is reasonable to follow Shirley's account concerning Robert's role.

In this version, Robert Stewart, having left the Blackfriars, "abowt mydnyght he laid certayne plaunches and hurdelles over the diches of the diche that environed the gardyne of the chambure".[219] This compares with *The Extracta* where Robert guides the murderers into the Blackfriars.[220] The same source says that the assassins entered the friary from the North Inch. This would suggest that the men who were to enter the King's house assembled on the inch outside the burgh, as an armed gang would clearly have been noticed in Perth. The size of this group, which was led by Robert Graham, is not clear. Shirley says three hundred, but such a force could hardly have used stealth to approach the Blackfriars, and this may be a mistake for thirty, the number recorded by Waurin and Monstrelet.[221] Bower, however, says that the murder was carried out by Graham, Stewart and seven others and Chartier that there were not more than twenty assassins.[222] Excluding Stewart, the names of nine murderers are known, Graham and his son, probably called Thomas, the two Chambers

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218 *Extracta*, 236-37; Bellenden, *Chronicles*, XVII, Ch. ix; Lesley, *History*, c, Ch. 43. For a different interpretation of this episode see J.M. Sanderson, "Robert Stewart of Atholl, son of the Wolf of Badenoch", in *The Stewarts*, vol. xvii, no. 3 (1986), 136-48.
219 *James I, Life and Death*, 55.
220 *Extracta*, 236-37.
221 *James I, Life and Death*, 55; Monstrelet, *Chroniques*, v, Ch. ccxi; Waurin, *Chronicles* (1431-1447), 208-16.
222 *Scotichronicon*, XVi, Ch. 27, l. 42-45; Jean Chartier, *Chronique de Charles VII*, Ch. 127.

brothers, the Hall brothers, the Barclays and Henry MacGregor.[223] *Pluscarden* says, though, that the Barclays were merely accomplices. The reference, nearly forty years later, to Henry MacGregor's participation may indicate that a number of minor figures were also involved.[224] Shirley records that some of those in the party claimed that they believed that they were to abduct a lady for Robert Stewart, suggesting that a small mob of twenty to thirty was gathered to assist the principal assassins who could have numbered only eight.[225]

In the hour after midnight these men entered the Blackfriars grounds and the royal apartments. It may have been at this point that they met and killed the King's page Walter Straiton. Bower says that he had been sent by the King to fetch wine and Boece adds that he was killed defending the door to the royal chamber.[226] Straiton's death probably warned James of the attack and gave him time to attempt to escape. Only *The Dethe* records the desperate efforts of the King to elude the conspirators by first trying to break the windows and then by tearing up the floorboards and entering into the stone privy, which lay underneath. As the outlet of the privy had been sealed on his own instructions, the King could only use the drain as a hiding place and had himself sealed in.[227] According to Shirley, the conspirators were able to force the door against the resistance of the Queen and her ladies, wounding some of them.[228] At this point, one of the attackers seems to have deliberately wounded

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223 Thomas appears with his father on two occasions before 1437 but is not named amongst Robert's sons in a later charter to Marion Oliphant and her children by Graham (Fraser, *Keir*, 277; Fraser, *Carlaverock*, ii, no. 35; *H.M.C.*, xiv, app. 3, 16).
224 *R.M.S.*, ii, no. 1203.
225 *James I, Life and Death*, 65.
226 *Scotichronicon*, XVI, Ch. 27, l. 47-49; Bellenden, *Chronicles*, XVII, Ch. ix.
227 *James I, Life and Death*, 55-56.
228 *ibid.*, 56-59.

Queen Joan but was restrained from killing her by Robert Graham's son. However, the conspirators failed to find James in the chamber and left to make a general search of the 'palace'. While they were away, the women tried to pull the King from the privy but one of them, Elizabeth Douglas, fell into the drain. At this point, Thomas Chambers, a man who was "right familier with the Kyng yn all places" and "knew wele all the pryvay comers of thoo chambers" realised where James was hiding and guided his associates to it, finding "the Kyng ther and a woman with hyme". John Hall entered the privy but was "kaught" by the King who "with grete violence cast hym under his feet". Hall's brother, presumably Thomas, went to give support but also seized by James who "strogild with hem for to have berevyd thame thare knyvys, by the which labur his handis wer all forkute". Finally Graham himself climbed down into the privy and the King "cried hym mercy" and asked for a confessor, to which Graham replied, "'thow shalt never have other confessore bot this same sword'", and struck the King. Following this, Robert Graham and the two Hall brothers killed James with "sixtene dedely woundes yn his breste".

The account in *The Dethe of the Kynge of Scotis*, although it is clearly dramatised by the addition of dialogue, and although it is the only source for the King's subterranean refuge, contains several features which can be verified in other versions. Almost all later accounts mention James' desperate resistance to the murderers and his multiple wounds, though none, not even *Pluscarden*, which is similar in describing the king's success in beating off his first attacker, mentions the location for this fight.[229] Del Monte and the Latin Brut both specifically refer to the King being in bed when he was

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229 *Liber Pluscardensis*, XI, Ch. ix.

attacked.[230] However, neither of these sources is completely reliable, and a fight in a confined space would have allowed James to resist his assailants in the way which several accounts describe. Similarly Thomas Chambers' role as the man with local knowledge of the royal apartments amongst the murderers is supported by the payments made to a "Thomas Chambers, servant of the King" in 1431.[231]

Shirley also gives details about the wounding of Queen Joan. This is reported by Bower, who says the wound was in the shoulder, and by Monstrelet, Waurin and Boece.[232] According to *The Dethe*, the man who struck the Queen "wold have slayne hir" had he not been prevented by Thomas Graham.[233] It is possible that the death of Queen Joan was also part of the plan and, on the flight of the murderers from the Blackfriars, Shirley reports Graham as saying, "'Ellas, why sloghe we not the Qwene also'".[234] This may be designed to presage the Queen's orchestration of the capture and execution of the murderers but, given the conflict of interests which existed between Atholl and the Queen, and her growing political significance, it is possibly an accurate reflection of Graham's fears. As the nominated replacement for James in central government and a local rival of Atholl, the Queen was clearly a valid target for the murderers. Shirley seems to indicate that Thomas Graham's intervention did not fit in with the murderers' plans as, after the King was dead, "the said traitors sought the Qwene, and yn thare furous crueltye wold hafe slayne her yn the same wise".[235] Their failure to find and kill the Queen during the attack on the

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230 R. Weiss, 'The Earliest Account of the Murder of James I of Scotland' in *E.H.R.*, LII (1937), 479-91; C.L. Kingsford, *English Historical Literature in the Fifteenth Century*, 322-23.
231 *E.R.*, iv, 542.
232 *Scotichronicon*, XVI, Ch. 27, l. 49.
233 *James I, Life and Death*, 57.
234 *ibid.*, 60.
235 *ibid.*

Blackfriars was to prove to be of importance in subsequent weeks when she provided a focus for the dead King's supporters.

According to *The Dethe*, the murderers' search for the Queen was interrupted by the threat of being caught by men from the town and the servants of the king "logid yn his said court".[236] The flight and pursuit of the murderers is, however, dealt with differently by Bower and Shirley. Both accounts include the intervention of David Dunbar of Cockburn and his attempt to prevent the escape of the assassins. Shirley says that Dunbar, a brother of the forfeited Earl of March, caught the men before they had left the ground of the Blackfriars and killed one of them and wounded another.[237] He was then wounded and forced to retire. The agreement of these two sources, and the grant to David of lands in Fife which had been forfeited by Atholl, suggest a strong factual basis to the story.[238] However, Bower says that "there was no one in the King's entourage who gave him any help or who set about avenging his death at the time except ... David de Dunbar", while Shirley gives the impression of a large mob approaching the Blackfriars.[239] It does seem from both accounts that Dunbar was the only man who physically opposed the murderers, and the behaviour of James' immediate servants comes under criticism from Bower, indicating their failure to help the King.
This may also be reflected in del Monte's letter where two chamberlains of the King are said to have fled when James was attacked.[240] It seems likely that no effort was made by the King's household to help James or to prevent the assassins' escape until a significant body of men had been roused in Perth and was on the way

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236 *ibid.*
237 *ibid.*
238 *E.R.*, v, l-li.
239 *Scotichronicon*, XVI, Ch. 27, l. 52-57.
240 R. Weiss, 'The Earliest Account of the Murder of James I of Scotland' in *E.H.R.*, LII (1937), 479-91, 489.

to the Blackfriars. This may have been due to fear and surprise rather than treachery, but must have contributed to the success of the attack on the King.

Bower's message that James' death was the result of his failure to ensure his own protection would seem to provide an explanation for the immediate success of Graham and his allies in their attack. The treachery of at least two of his household was of fundamental importance in his murder. However, James' death was only part of a wider attempt to seize political power and, although his death was a spectacular blow by his enemies, their success was dependent on other factors. Therefore, as the murderers escaped across the North Inch, preparations were underway on both sides to establish control of the kingdom in the aftermath of James' death.

v. The Interregnum (February-March 1437)

The month between the death of James I and the coronation of his son was clearly a period of major political upheaval resulting from the events at the Blackfriars. However, it is difficult to form a clear picture of the course of events in this month and especially of the extent and nature of the reaction to the King's death. The main narrative accounts deal simply with the capture and execution of the murderers. This reflects the limits of their interests or desire to explain the aftermath of the murder and, as a result, there is no narrative framework for the gap between the two reigns. In addition, nearly all the evidence for this period was inspired by the government which emerged around James II in the opening weeks of his reign, and the activities of other factions in the kingdom are therefore even harder to establish.

The limitations of this evidence must be an indication of the confusion which existed following James' death. However, the immediate aftermath of the murder at the Blackfriars does suggest a degree of political cohesion amongst the supporters of the late King who had not been party to the conspiracy. On 21 February this group, which was presumably centred on the Queen, took action to establish its claim to run the kingdom and to prepare for the struggle against Atholl and his supporters. The first act of the Queen and her supporters was to arrange for the late King's hasty funeral. Probably following his own instructions, James was interred at the Carthusian Monastery near Perth, although the buildings were almost certainly incomplete.[241] As payments were made for James' tomb in

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241 *Scotichronicon*, XVI, Ch. 28, l. 9; Monstrelet, *Chroniques*, V, Ch. ccxi; Waurin, *Chronicles* (1431-1447), 208-16.

1438 and 1440 it seems likely that the initial burial was a basic affair.[242]

It is also possible that this funeral and the viewing of the King's body which may have preceded it were of deliberate political significance. According to *Pluscarden*, when he saw the King's body, "the pope's legate ... uttered a great cry with tearful sighs and kissed his piteous wounds, and he said before all bystanders that he would stake his soul on his having died in a state of grace, like a martyr, for his defence of the common weal and his administration of justice".[243] The presence of the papal nuncio, Anthony Altani, bishop of Urbino, at Perth on 21 February only occurs in *Pluscarden*, but as he was in the burgh on 4 February and went to Edinburgh with the Queen before 27 February, it is likely that he remained at court throughout the period.[244] *Pluscarden* also mentions that the nuncio had absolved James from guilt within eight days before the murder. This may indicate that the author of *Pluscarden* had information from a source close to the nuncio, but it also shows that Altani was close to events.

Given his apparently poor relations with the King, the nuncio's reaction to the murder is striking and contrasts with the attitude of del Monte, the papal collector in London, with whom he may have been in correspondance prior to the King's death. According to del Monte, James was a new Pharoah who oppressed the church and who had "placed under guard the Bishop of Urbino, whom your holiness had dispatched to recover the freedom of the church".[245] Del Monte's hostility to James may be based on knowledge concerning the nuncio's position in Scotland. There is no evidence that Altani made any progress in

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242 *E.R.*, v, 34, 73.
243 *Liber Pluscardensis*, XI, Ch. ix.
244 *Scotichronicon*, XVI, Ch. 26, l. 25-30; *Copiale*, 146-47.
245 R. Weiss, 'The Earliest Account of the Murder of James I of Scotland', in *E.H.R.*, LII (1937), 479-91, 485.

obtaining James' repudiation of the council of Basle, and the bishop may have objected to royal attempts to obtain money from the church for the war, and perhaps also to the King's handling of the Dunkeld election, which should have been under papal control.

If differences between the King and the nuncio had led to the latter's detention in some form, his declaration that James had died "like a martyr" suggests a public change of heart. This posthumous reconciliation must have been of considerable value to the Queen and her associates at Perth. The King received some kind of status as a "martyr" from the Pope's representative in Scotland and this must have reflected favourably on Queen Joan. It would certainly undermine accusations that James was a tyrant in his treatment of his secular and ecclesiastical subjects and must have represented a great propaganda success for the Queen. If the nuncio was at court and had been detained by the King, it may have been possible for Queen Joan to enlist his support in return for some concessions. The public praising of the dead King by the Bishop of Urbino may, therefore, have been designed to rally support for his widow and her supporters. According to the *Latin Brut*, the bishop later took the King's shirt to Rome, perhaps in a further attempt to win ecclesiastical favour for James after his death.[246]

According to Waurin and Monstrelet, "after the burial, the nobles and great lords of the Kingdom of Scotland were summoned and gathered together with the Queen and planned to pursue the murderers with all their strength".[247] It is quite likely that a meeting of political significance occurred in the immediate aftermath of the King's death. It is hard, however, to see it as anything approaching

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246 C.L. Kingsford, *English Historical Literature in the Fifteenth Century*, 322-23.
247 Monstrelet, *Chroniques*, V, Ch. ccxi; Waurin, *Chronicles* (1431-1447), 208-16.

a meeting of the estates as the Burgundians suggest. The general council which met on 4 February can hardly have continued for over a fortnight and it is likely that the majority of those who attended had dispersed by the time of the murder. Instead it must have been an assembly of those close to the King that gathered on 21 February to decide their next step. As Monstrelet indicates, this meeting was presumably summoned by the Queen, despite her wound, as she is identified by Shirley and others as the main political opponent of Atholl and his associates. Her immediate supporters in Perth probably included her husband's daily council. On 1 January this consisted of John Winchester, bishop-elect of Moray and William Fowlis, archdeacon of St. Andrews and keeper of the privy seal, who probably stood in for the chancellor, Bishop Cameron, who had been abroad since early 1434.[248] Two laymen were also named, the chamberlain, John Forrester, and, most importantly, William Crichton, the master of the King's household. Although Crichton was clearly not immediately responsible for James' house on the night of the murder, it is likely that he and the others were still with the King in late February. According to the limited evidence of the last years of the reign, these men appear to have been James' regular advisers and all backed the Queen in 1437.[249] The presence of other royal supporters is, however, a matter of conjecture. Orkney was referred to as being present with the King prior to the murder and may have been in Perth, but close associates of James like Angus and Hepburn were probably employed fully on the marches.[250]

It may, therefore, have been a group of royal councillors, household officers and immediate servants of the King which was with

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248 S.R.O., RH 6/295.
249 *H.M.C.*, xii, app. 8, 60; vi, 691, no. 18; S.R.O., GD 124/1/136; GD 198/10-11; RH 6/291.
250 *James I, Life and Death*, 53.

the Queen at Perth on 21 February. Of those likely to have been present, only Orkney and Crichton possessed any significance in terms of men and influence at their disposal. Both men were clearly associated with the early government of James II and probably benefitted from their links with Joan during the interregnum.[251] However, at Perth Orkney and Crichton were outside the area of their influence. By 21 February, it is possible that the Queen was aware of the nature of the attack on her husband. In his letter, which was surely based on the first news of the murder to reach London, del Monte describes the murderers being given access to the King's house by some of the guards.[252] This would appear to indicate the knowledge that some of James' servants were involved in the murder and presumably that the Queen was aware of Robert Stewart of Atholl's part in the plot. In such a situation it would clearly have been highly dangerous to remain in Perth, so near the centre of Atholl Stewart influence, especially if the Queen could only rely on a reasonably small group for support.

It was probably as early as 21 February that the Queen and her council took the decision to go south from Perth to Edinburgh. The council was established in Edinburgh by 27 February and may have left Perth on the day after the King's burial.[253] Edinburgh was a safe distance from a renewed attack by Atholl and his supporters and was the centre of Crichton's influence. Once in Edinburgh the Queen could also obtain the backing of the Earl of Angus, who could be expected to support her. However, probably the main reason for the hasty departure of the Queen for Edinburgh was the knowledge that her

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251 Orkney's wife received a grant of Garioch in full in May 1437, perhaps as his reward for supporting the Queen in the previous month (Hay, *Sainteclaires*, 91).
252 R. Weiss, 'The Earliest Account of the Murder of James I of Scotland' in *E.H.R.*, LII (1937), 479-91, 489.
253 *Copiale*, 146-47.

son, the new King, was in the city, and that control of him was essential for success in the turmoil following the murder.

The Queen's move to Edinburgh would have been accelerated by the knowledge that the steward of her son's household was John Spens, a likely supporter of Atholl after the murder. With Crichton probably in Perth, there must have been an additional worry about the young King's security in Edinburgh castle and a real threat of Spens delivering his charge to Atholl's supporters. Despite this possibility there is no reference to events in Edinburgh castle at this point. However, John Spens was clearly removed from control of the King and mysteriously disappears from record after February 1437. While his loss of the offices of provost, custumar and sheriff-depute of Perth could simply have stemmed from the fall of his master, it seems likely that most of Spens' estates were forfeited as well.[254] Only his lands of Lathallan in Fife appear to have been held by his descendants and, by James III's reign, the rest of the lands of Spens in Fife, Lennox and Menteith were in other hands.[255]

The two main recipients of Spens' lands were both minor servants of James I who prospered in the service of his son. The first, Robert Nory, was a household servant of James I in 1435 but was probably in Flanders in 1437 and could not have been connected with the events after the murder.[256] However, the main beneficiary of Spens' loss of lands was probably John Balfour. In the 1470s his grandson, James, was confirmed by the King in the lands of Glendouglas in Lennox and Boquhapple, Torry and Drumgy in Menteith,

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254 *E.R.*, v, 18.
255 *R.M.S.*, ii, no. 1930.
256 *E.R.*, iv, 543, 623, 625; v, 22, 32, 33, 36. However, Nory may have returned to Scotland by July as he received the accounts for work at Stirling castle between the King's death and that point (*ibid.*, v, 3). He was later comptroller for James II (*ibid.*, v, 84, 86) and temporarily held Spens' lands of Torry and Boquhapple as well as Kittidy in Fife (*ibid.*, v, 479, 676; *R.M.S.*, ii, no. 1031).

all of which had been held by John Spens before 1437.[257] While the timing of the Balfour family's initial possession of these estates is not clear, it is tempting to link it to John Balfour's role in early 1437. In 1438 John received a payment as "servant of the Duke of Rothesay, now King of Scots, for diverse needs and requirements for the use of the chamber and the wardrobe of the present King, after the death of the late King his father, up to the exchequer audit held at Stirling in 1437".[258] This would seem to indicate that Balfour was responsible for receiving the personal payments of the new King between February and May 1437. This was the role which Spens had previously played and suggests that Balfour had replaced the former steward of the duke around the time of the murder. A payment at about the same time to "servants of the Duke of Rothesay in his chamber, namely Balfour, Patrick Scot, Heslyhope and Duly" may also be significant in this context.[259] It is possible that the changes in the household of the young King, which resulted in John Balfour replacing Spens in physical control of James II, stemmed from an attempt by the Atholl faction to obtain possession of the royal person. The disappearance of Spens and the subsequent tenure of his lands by the Balfour family possibly indicates that the former had been executed or killed in late February or March 1437 and that Balfour was rewarded for retaining custody of James II for the Queen until she arrived from Perth.

Therefore, within days of the murder, Queen Joan was in Edinburgh and had secured control of her son. The insecurity of her position in this period and, probably, over the next few weeks is suggested by the fact that the council remained in Edinburgh until the end of March at the earliest and Joan and the new King may only

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257 *R.M.S.*, ii, no. 1274.
258 *E.R.*, v, 35.
259 *ibid.*, v, 64.

have moved to Stirling in late April, when the last of the murderers was arrested. The political situation in the week after the murder is referred to in a letter of the Bishop of Urbino to Prior Haldenstone, written at Edinburgh on Wednesday 27 February.[260] The bishop excuses himself from visiting Haldenstone in St. Andrews saying, "my thoughts are now turned to other issues ... so that we may all respond to the evil which may easily occur as a result of this shameful deed". He also claims to be working for the "public good" and to be attempting to persuade "the council and guardian (*presidium*)" to seek peace. Bishop Anthony had presumably been with the Queen and her council since 21 February but this letter could suggest that he was working to prevent further bloodshed by persuading Joan to seek some kind of settlement. For the bishop to fear new "evil" as a result of the murder and to attempt to maintain the peace suggests, by implication, that a faction was still opposed to the Queen's assumption of power. It is significant that, although both he and the government were probably aware of the involvement of Atholl in the murder, the earl is not mentioned by the bishop. This could indicate that the Earl Walter's condemnation was not certain and that the Pope's nuncio was reluctant to commit himself too heavily by criticising Atholl explicitly.

While the Bishop of Urbino was working to prevent violence, it seems likely that the Queen was assembling her supporters and consolidating her hold on government. The obvious leader of any armed attack on Atholl was William, earl of Angus. Angus was warden of the east and middle marches and clearly possessed a powerful following in the south and east of Scotland. William had used this following to support his uncle, the King, in 1425, 1429 and 1434-5, and was a close supporter of James I who clearly transferred his

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260 *Copiale*, 146-47.

backing to the Queen. He was to be involved in the capture of Atholl and probably led the attack on the earl. As Perth was still outside effective royal control on 7 March it may have taken until then for the Queen and Angus to collect sufficient forces to challenge their opponents.[261] At about this point, though, the Earl of Angus probably moved north towards Atholl's estates.

The Queen almost certainly remained in Edinburgh, and William Crichton seems also to have stayed behind in his role as keeper of the castle. On 13 March Crichton granted a charter in the castle to Walter Scott of Buccleuch.[262] The charter was witnessed by William's cousin, George Crichton of Blackness, Thomas Cranston of that ilk, a border landowner and four Edinburgh burgesses. Two of these burgesses, Thomas Cranston of Edinburgh and his son, William, were closely associated with Crichton's administration of the castle and with the new King's household. Thomas was constable of Edinburgh castle and had probably deputised for Crichton during his absence at Perth, and William was an esquire of James II as Duke of Rothesay.[263] These two men had clearly remained loyal following the events at Perth and may have been involved with John Balfour in the removal of Spens and the defence of the new King. The men with William Crichton would seem to represent his close associates both from Edinburgh and the marches. The group could presumably guarantee the defence of James II in the castle and Crichton and the Edinburgh Cranstons were at the heart of the organisation of the coronation two weeks later, indicating their continued proximity to the King and his mother.[264]

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261 *P.S.A.S.*, xxxiii, 425.
262 Fraser, *Buccleuch*, no. 33.
263 *E.R.*, iv, 680; v, 31, 33, 36, 37. Thomas appeared as deputy sheriff of Edinburgh and was apparently in charge of Atholl on the day of his execution (*Panm. Reg.*, ii, 228).
264 *ibid.*, v, 36.

While it is not hard to identify the probable areas of active support for the Queen, the position of the Earl of Atholl between the King's murder and his own arrest remains far from clear. Once it became apparent that the Queen had established secure control of James II, the prospects of the earl achieving a successful takeover of government were greatly reduced. The attempts of the nuncio to arbitrate could indicate that Walter was trying to reach a settlement with the Queen in late February. However, any such attempt clearly failed, though it seems likely that Atholl continued to pose problems for Joan and her supporters into March. On 7 March, a fortnight after the murder, the council sent a letter from Edinburgh in the name of James II to "the Alderman, Baillies, and communitie of our burgh of Perth". This letter ordered that,

> for resisting of the feloune traitors that horribly has murtherid our progenitoure of ful noble mynd quham God assalze, and sikkernes of zoure said burgh ze fortify our said burgh with wallis fossis and utherwayis to sikker keping thair of bathe with zoure personis and gudis under al the payn and dangere that ye may tyne again us: and gif ony of swilk trattours or rebellours invadis zou sarely, notifyis that to us and we sal set competent Remede thairin efter the avise of oure counseil to the gude and wele of oure said burgh and zou, the quilkis we desyre and trowis to fynd traist and ferme to us.[265]

This letter is crucial to the understanding of the situation in early March 1437. At the very least the council for James II feared an attack on Perth by the traitors and rebels in sufficient force to gain control of the town. The promise to send help if the burgesses informed the royal council of such an attack hardly sounds re-assuring and seems to indicate that the Queen's party had no local

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265 *P.S.A.S.*, xxxiii, 425.

sources of support to help Perth if it was attacked. Given the distance at which these instructions were dispatched it is possible to doubt the real ability of the council to influence events at Perth. In this light it is not inconceivable that the Queen was uncertain of the loyalty of the burgh. The letter would seem to indicate that the council was unaware of open hostility in Perth but there are veiled threats of punishment for disobedience contained within it. The purpose of the document may well have been to encourage the burgh to oppose Atholl by reminding the inhabitants of their duty to the new King and his council. The remission granted to the burgesses of Perth by James II in late April suggests that they had not been conspicuous in support of the Queen's party during the previous two months and were seeking formal forgiveness.[266]

It would not be surprising if Perth was ambivalent or even hostile towards the new King's councillors. A number of the leading burgesses had participated in the murder and Atholl was the main local landowner. There is no reason to suppose that the earl had been forced from his castle of Methven during the two weeks after the King's assassination and his presence in close proximity to Perth would have been a more immediate claim on the loyalty of the burgesses than any communication from the council in Edinburgh. Similarly the local supporters of Earl Walter in Strathearn, Methven and even Atholl may have turned out in 1437. The government clearly feared that the earl had raised a sizeable military force in Perthshire and such a private army would presumably have been based on Walter's long-standing links in the area. Families like the Oliphants, who were connected with both Atholl and Robert Graham, and the Drummonds, may well have been involved. The fate of the Drummonds of Concraig after 1437, which included the loss of the

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266 *ibid.*, 437.

stewartry of Strathearn and the sale of most of their lands because they "had no settled peace, bot were forced to keep house to so many freinds and servants for theire securitie" may have been the price of this failure in 1437.[267] The loss of their backer, Atholl, and the backlash they probably experienced locally from rivals like the Murrays of Gask, meant that Malcolm Drummond and his kinsmen suffered heavily as a result of the events of early 1437. Their association in Atholl's fall may be taken as evidence of their likely adherence to the earl until the end.

However, even if Walter was successful in mobilising a significant force from the areas of his influence, his position must have been increasingly difficult once control of the new King belonged to his opponents. It is even conceivable that he tried to present himself as an alternative ruler at this point, perhaps by raising the question of Robert II's two marriages. If he had done this, though, it would surely have been used directly against him following his arrest. For Atholl to sustain opposition to the Queen and council acting in James II's name would probably have required quick action before they became entrenched in power. As we will see, a large section of the political community still seem to have remained uncommitted to the Queen and her associates at the time of the coronation in late March and Walter could have hoped to win sufficient backing to negotiate his political survival. The knowledge that control of the King gave them a clear advantage may, in return, have encouraged the Queen's party to sit tight in Edinburgh.

The period of waiting probably ended soon after 7 March. According to Shirley, the first of the murderers to be "takyn" were

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267 W. Drummond, *Genealogie of the House of Drummond*, 46.

Sir Robert Stewart and Christopher Chambers.[268] There is no reference to these arrests in the letter to Perth which, given the propaganda significance accorded to Robert's capture, would be surprising if they had occurred by that date. However, Shirley's narrative suggests that they were captured, tried and executed before Atholl's own arrest. This presumably means that Robert and Christopher were taken within a few days of the letter to Perth. The circumstances of the arrest are not discussed by Shirley but it is striking that the two men were captured separately from the earl. This presumably indicates that Robert was not with his grandfather and he may have been arrested while trying to collect support for the "rebellours" beyond Perthshire. The capture of Robert Stewart, who had clearly been identified as one of those responsible for the King's death, was fully exploited by the Queen's party. He was held and condemned in Edinburgh castle and his execution was clearly designed to allow the maximum number of people in the city to see him. *The Dethe* quotes Robert as saying "'Dowe whatever ye will dow withe oure wrechide bodies for we bene gilti and haf welle deservyd hit this payneful dethe, and inwyse and muche more'".[269] This full confession of the late King's household servant was clearly important in propaganda terms while Atholl continued to hold out. The Queen and her allies were clearly anxious to spread this proof of the earl's guilt and the likelihood of his defeat beyond Edinburgh. It was probably at this point that one of the quarters of Robert Stewart, "traitor of the King", was sent to Ayr.[270] The choice of Ayr has no special significance and it seems likely that the other quarters were dispersed to other burghs, presumably accompanied by the confessions of the two men.

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268 *James I, Life and Death*, 61.
269 *ibid.*, 61.
270 *E.R.*, v, 25.

According to Shirley, the heads of Robert Stewart and Christopher Chambers had other destinations. They were set up on the gates of Perth.[271] Perhaps encouraged by the response to Stewart's execution, the council may have decided to proceed against Atholl in Perthshire. The force which was sent was presumably led by Angus, who was to receive credit for Atholl's capture in *The Dethe*.[272] Along with the heads of Stewart and Chambers, which Angus may have taken north to warn the burgesses against supporting Earl Walter, the royal force may have been furnished with siege weapons. A payment to master James, "a builder of engines", which Crichton authorised, occurs in accounts dealing with payments for James II's coronation.[273] It probably refers to the opening weeks of James II's reign and may indicate that Angus was accompanied by a siege expert. There is no indication of any fighting, however, and Shirley's bald statement of Atholl's capture and the fact that he was executed on 26 March suggest a collapse of resistance by the earl and his supporters during the middle of that month.[274]

Like his grandson, Atholl was incarcerated in Edinburgh castle where the King and his mother were probably also still based.[275] The capture of the earl must have ended any direct threat to the government from that quarter and it was possibly only at this late stage that the decision was taken to crown the young King. This decision may also have been linked to the end of Lent as the ceremony occurred on the Monday of Easter week. However, the coronation was to be at Holyrood rather than the traditional site of Scone, indicating continued fears about the security of Perth. It was another month before the burgh received a remission from the King,

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271 *James I, Life and Death*, 62.
272 *ibid.*
273 *E.R.*, v, 36.
274 *Panm. Reg.*, ii, 228.
275 *James I, Life and Death*, 62.

possibly indicating the timing of its final submission to the new government.[276]

The coronation was accompanied by a parliament which also met on the day after Palm Sunday, 25 March.[277] It is quite likely that this was equally only arranged following Atholl's capture, though this would seem to disregard the normal Scottish practice of calling parliament at least forty days before it assembled. However, a full forty days would mean that the meeting had been called by James I at least a week before his murder. James I had already called two general councils during the winter, the second of which would only just have dispersed. If he wanted a new meeting he would surely have recalled the general council rather than summoning a parliament. The fact that parliament alone could try cases of treason would not appear to have been significant before the murder. However, it would explain why the Queen and her supporters needed to call a full parliament following Atholl's capture. While they had condemned Robert Stewart without such formality, the forfeiture and execution of a major earl could only be justified if some attempt to assemble a parliament was made.

To call a parliament for this purpose at a week's notice suggests a desire on the part of the Queen and her supporters to achieve their objectives quickly and with a minimum of obstruction. It seems likely that attendance was largely limited to the new King's council and their allies. The coronation was carried out by Michael Ochiltree, bishop of Dunblane and a familiar of James I since before his return to Scotland.[278] Ochiltree was hardly the senior bishop in the kingdom and, although Cameron was abroad, the failure of Wardlaw to perform his traditional role suggests that the turnout was

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276 *P.S.A.S.*, xxxiii, 437.
277 *A.P.S.*, ii, 31.
278 *Extracta*, 237.

small.[279] As a result, the meeting was probably dominated by the Queen and her supporters. Crichton was certainly responsible for the festivities following the coronation at Edinbugh castle where both James II and the Queen resided.[280] The choice of the castle possibly still indicates the fears of the government about their position and Crichton's role in the organisation of the event suggests that those at the coronation were still basically a faction within the kingdom.

However, this faction seems to have achieved its aims successfully at the parliament. The trial of Atholl presumably took place on 25 or 26 March without any serious opposition and the earl was condemned to death. Similarly the coronation occurred without apparent problems. The inauguration of the King may have provided a pretext for the hasty summoning of parliament to try Atholl as it is hard to explain the timing otherwise. If the coronation gave the Queen a clear political advantage, it is difficult to believe that she would have waited nearly four weeks to crown her son. The need to act quickly to arrange Atholl's trial after his capture is obvious, however. The earl's death would be a decisive way of ending the uncertainty after James I's murder, and to achieve a sure and quick condemnation of Atholl, the Queen may have called a parliament to coincide with the coronation.

Such a coronation parliament would have been an obvious forum to confirm the regency government in power. It was probably at this meeting that the Queen was formally placed in control of her son and a council appointed to assist her in the administration of the realm. This arrangement was referred to in the "appoyntement" of 1439 between Joan and Livingston of Callendar which also makes it clear

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279 Ochiltree was presumably chosen over Bishops Winchester of Moray and Kennedy of Dunkeld because neither had been confirmed in their sees, though both were supporters of the late King.
280 *E.R.*, v, 36.

that the Queen received a pension of 4,000 marks.[281] The legislation of her husband, which obliged the leading members of the political community to take oaths and deliver letters of fidelity to the Queen, provided the basis for this position.[282] With men like Cameron, Crichton, Fowlis and Winchester holding the main household offices the council could, superficially at least, present itself as continuing the late King's government and could mark an attempt to return to more settled political circumstances.[283]

If the parliament of March 1437 was in essence a meeting of the Queen's party, it seems unlikely that it was the point at which Archibald, 5th earl of Douglas was appointed lieutenant-general. Douglas received the salary of the office for the first time between July 1437 and July the next year and, as has been recently suggested, the earl may have been appointed in November when the death of Angus removed the Queen's most powerful ally.[284] The timing of James Douglas of Balvenie's incorporation on to the council as justiciar and the creation for him of the earldom of Avondale are also unclear.[285] The rewards received by Balvenie hint at his responsibility for forging the link between the Queen and Douglas but this probably occurred at some point after March. The signs of antipathy between the earl and Atholl in the 1430s make it unlikely that the Black Douglases were even remotely involved in the attack on James, but there is nothing to suggest the family's participation in the events of February and March 1437. Instead the earl and his uncle were probably content to await the outcome of the power

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281 *A.P.S.*, ii, 54.
282 *ibid.*, ii, 17, 23.
283 Cameron returned to Scotland sometime in the summer and retained the office of chancellor (*Rot. Scot.*, ii, 302).
284 *E.R.*, v, 17; C.A. McGladdery, *James II*, 12.
285 Fraser, *Douglas*, iii, no. 301.

struggle in anticipation of the rewards which could be extracted from the successful faction.

As has been suggested, there was a difference between the apparent restoration of regular government at the Edinburgh parliament and the signs of continued insecurity felt by the Queen and her allies, who remained in the city for another month. However, the execution of Atholl on 26 March, the Tuesday of Easter week, seems to have caused a collapse of continuing resistance.[286] During April the remaining murderers were taken captive, presumably as they attempted to escape into the western highlands. Thomas Chambers was captured by Colin Campbell of Glenorchy, suggesting that he was trying to flee westwards from Perthshire via Loch Tay.[287] The main agent of James' death, Robert Graham, was apprehended by Robert Duncanson of Struan and John Stewart Gorm of Atholl.[288] These two men were vassals of Earl Walter in Atholl whose attitude to their lord's fall was probably ambivalent. It is quite plausible that, when Walter's cause appeared to be desperate, the Atholl-men changed sides and apprehended those supporters of the earl who had taken refuge with them. They then probably delivered these men to the Queen's supporters in anticipation of receiving benefits which, in the case of Robert, were forthcoming in 1451, when his lands were erected into a barony outside the jurisdiction of the earldom of Atholl for this act.[289]

The trials of Robert Graham "and other traitors of his coveene" took place in Stirling, probably when the council moved to the burgh at the end of April.[290] The defiant attitude of Robert Graham, which is reported in *The Dethe*, would hardly have detracted from the fact

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286 *Panm. Reg.*, ii, 228.
287 *R.M.S.*, iii, no. 316.
288 *E.R.*, v, 55; S.R.O., GD 1/947/2.
289 *ibid.*
290 *James I, Life and Death*, 63-64.

that the last of those directly responsible for the King's death had been killed and that the central government rested in the hands of his supporters. Except as an act of personal vengeance by supporters of the Albany Stewarts the attack on James I had clearly failed.

This outcome has been responsible for misunderstanding about the point of the whole conspiracy against the King and his allies. The sources merely concentrate on the fate of the murderers, and the assumption of power by the Queen and her associates appears to be identical with the government of James I, without the King himself. As a result there has been an assumption that the murder of James brought no real changes in the nature of the government either. By implication this would suggest that there was no real support for the band of murderers backed by Atholl and that their ultimate failure was inevitable. This, in turn, has led historians to ask why Atholl and his allies ever thought that they could get away with the murder.

However, it is possible to see the political crisis in a different light. James I's opponent was his closest adult kinsman, who had enjoyed, from 1424, the fruits of success based, not only on his support for the King, but equally on his own efforts in a thirty year struggle for local influence. Atholl may have felt pressured in 1437 but he was hardly desperate and any attack on James can only have been considered by the earl in the anticipation of success. This anticipation may have been due, in part, to the strained political atmosphere after Roxburgh, but the plot itself was probably designed to place Atholl in control of the central government without depending on widespread support.

To achieve this end it was necessary for the earl's supporters to kill the King and gain possession of his heir. In this situation, Atholl would have been ideally placed to act as guardian to James II as Bower states. The responsibility for regicide would have been a

problem but Atholl was clearly prepared to distance himself from the deed and to justify it in terms of the tyranny of the King. Walter had a precedent for such a political coup in the events of 1402 when the lieutenant-general and heir to the throne had been removed by his uncle and the change in central government justified in terms of Rothesay's behaviour and Robert III's sanction. The sanction of James II and the tyranny of his father would have served this purpose for Atholl. After all, in 1488 the King was removed by violence and replaced by those responsible for his death, who used possession of the heir to legalise their actions. It was physical possession of the new King which was essential for power after 1437 as the events of two years later make readily apparent.

With his adherent, John Spens, in control of the heir from 1431, Atholl must have had a real chance of achieving this. If, in addition, the murderers had killed the Queen as planned, it is hard to see where concerted opposition to Atholl's coup would have come from. The lack of evidence of any massive surge of support for the Queen in the period after the murder does not suggest a great desire from beyond his immediate supporters to avenge the King. In the event, the failure of Atholl to kill Joan or gain control of James II left his options severely restricted, but he continued to pose a threat to the Queen's party into March, suggesting he enjoyed some success in mobilising his Perthshire affinity. In the final analysis, James I was killed not just because of his failure to have brave men at his side as Bower suggests. He was killed because he had placed pressure on Atholl without removing him and his supporters from positions which gave them easy access to the King, and allowed the earl to believe that he could effect a political coup as an answer to his growing distrust of his nephew.

CONCLUSION

1424 and the return of James I from England is generally regarded as a major turning point in late Medieval Scottish Kingship. The thirteen year active reign of James is viewed as beginning the process of extending the prestige and authority of the monarchy which was to be continued by his four successors during their own periods of personal rule. There can be no doubt that James I returned at a low point for the royal office in Scotland. No King had exercised full control of government for forty years and effective local influence rested with the major magnates, based either on blocks of territorial authority or the accumulation of lands and estates amounting to the same thing. Against this background the results of James I's return appear as an almost revolutionary break with the immediate past. For the first time since David II the throne was occupied by an active and ambitious ruler and the character and ability of James were to bring about changes in the structure of Scottish politics unparalleled since the English invasions of the previous century.

The most important aspects of these changes were the increase in the authority of the crown over the major magnates and in the landed resources at the King's disposal. It was James' destruction of the Albany Stewarts which was principally responsible for this dramatic growth of royal power. The execution of Duke Murdac and his sons dominated the entire reign. The Albany Stewarts as a family had been the central government in Scotland since 1388 with only a short gap, and were the most powerful landholding group in the kingdom, with five earldoms amongst Murdac's immediate kinsmen. As the heir to James' throne, moreover, Murdac's interest in central authority could not be seen as having ended with his governorship. Such an

accumulation of strength represented a long-term block on royal authority as James' own father had found, while the death of his brother and his own captivity were warnings to James of the active threat which the Albany Stewarts could pose to him.[1]

The extent of the Albany Stewarts' lands and influence emphasises the King's achievement in encompassing their downfall. James' success was based on the support he received from the rest of the political community for Duke Murdac's execution. The assize which condemned the duke and his kin in the March 1425 parliament included all the adult earls and many of the other significant lords in Scotland, and is clear evidence of the degree to which James had isolated Murdac. This process of isolation had initially been achieved by the King's success in exploiting the divisions which existed within the Albany Stewart family between the duke and his heir, Walter Stewart of Lennox.[2] James' round up of Walter and his allies in 1424 and the containment of his supporters in the Lennox was undertaken with the tacit support of Murdac and left the duke exposed to the King's attack in the following year. James further isolated his cousin by successfully balancing the hopes of patronage and fears of retribution held by the rest of the major magnates to gain their support. Thus the Earls of March, Douglas and Angus in the south all saw in James the prospect of increased local significance in the wake of his victory, while the disputes of Alexander of the Isles and Walter, earl of Atholl with the Albany Governors led them to regard James as an ally in these quarrels.[3] The King's detachment of the Earl of Mar and his powerful following from their close ties to the Albany Stewarts was perhaps his most significant success. It was almost entirely based on Mar's own fears

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1 See Chapter 1, *passim*.
2 See Chapter 2.
3 See Chapter 2, 92-100, 105-110; Chapter 3, 165-68.

about his future if he was caught on the wrong side in any clash between the King and the duke, and led him eventually to give his support to James.[4]

It took James the first year after his release to accumulate this backing for his attack on Albany, and it was, in many ways, the most important achievement of his active reign. The forfeiture of Murdac and his father-in-law, Duncan, earl of Lennox, effectively doubled the landed resources of the crown and established control of the three earldoms which had allowed the Albany Stewarts to dominate central Scotland to the exclusion of any royal influence.[5] However, as significant as the territorial advantages which must have accrued to the crown from the removal of the latent block on royal freedom of action, which the ex-Governor and his kin represented, was the value of James' success to the prestige of the crown. James accomplished the removal of his chief subject, heir and predecessor and his close relations with only isolated indications of opposition confined to the estates of those condemned. The trial in parliament at Stirling with the King in full regalia and an assize of the main lay magnates apparently united in passing sentence of death and forfeiture on the whole Albany Stewart family was a graphic display of the renewed ability of the crown to control its chief vassals.[6]

The King's success clearly also had a significance with regard to the earls and barons who acquiesced in, or actively supported, the fall of Murdac. Even before Murdac's execution there was the basis of a new relationship between the crown and men like Douglas and Mar who were used to a high degree of local freedom. Despite his support of the King, the 5th earl of Douglas was forced to accept restrictions on his position as the price of his smooth succession

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4 See Chapter 3, 168-71.
5 See Chapter 4, Section i.
6 See Chapter 3, 191-200.

following his father's death at Verneuil.[7] Similarly Mar was forced to recognise his dependence on the King when the financial grants from the exchequer, on which his defence of the north-east was based, were stopped by James in 1424.[8] From the beginning of the reign, the King showed a readiness to intervene personally in the localities. The most visible manifestation of this was the royal progress to Melrose in October 1424, in the aftermath of Verneuil, and a similar visit to Aberdeen in 1426. These expeditions served to display the King's authority in the heartlands of the predominant local magnates, Douglas in the south and Mar in the north, in a way not experienced since the death of David II.

The forfeiture of Albany only served to increase the extent to which James was prepared to interfere in the centres of magnate influence. As Douglas in particular was to discover, the King increasingly expected his chief subjects to provide effective control over their areas of influence whilst remaining clearly dependent themselves on the authority of the crown. The dominance of the Black Douglas family in southern Scotland which, in 1424, gave it almost total independence of action on the marches and in Lothian, was a target of royal mistrust. James was anxious to reduce this local hegemony to proportions which were manageable but clearly did not wish to provoke a major clash with the Earl of Douglas. To achieve this, James successfully used his existing links with the Black Douglases. In 1424 the family was committed to supporting the King, and James exploited this to make initial inroads into the 5th earl's position after Verneuil.[9] James also took advantage of his connections with the earl's close kin. The 5th earl's mother, Margaret, duchess of Touraine, was the King's sister and, in granting

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7 See Chapter 3, 149-47.
8 See Chapter 2, 125-28.
9 See Chapter 3, 140-47.

Galloway to her in 1426, James prevented the area being re-united with the rest of the earl's estates without alienating the lordship from the Black Douglas family. The King similarly found his links with the 5th earl's uncle, James Douglas of Balvenie, and other Douglas councillors to be of value. Balvenie was employed as an intermediary in negotiations between the central government, the earl and the Douglas affinity.[10]

These connections were vital during the 1420s when the King was clearly eroding parts of Douglas' local position. Loss of the family's offices in Lothian and the east march followed, in part, as a natural consequence of the 4th earl's death. However, two years later, the King forced Douglas to accept a settlement which deprived him of the lordship of Galloway during his mother's lifetime and to resign certain rights and lands in Selkirk Forest. James' action in these areas was designed to limit the 5th earl to a role of predominantly local importance in the west and middle marches, though it was presumably intended that a limited degree of influence at court, based on the earl's kinship with the King, would compensate for this decline in local standing.[11] The frustration caused by these local restrictions and his failure to achieve any significant influence with James probably contributed to the earl's behaviour in 1429-31, when he seems to have been intent on interfering in the complex politics of the Kennedy family in Carrick and undertook private negotiations with the English warden of the west march which ran counter to the instructions he had received from the King.[12] The result of this display of independent action seems to have been the earl's temporary removal from his offices on the marches and a brief period of imprisonment in 1431. Although Douglas was quickly

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10 See Chapter 4, Section ii.
11 *ibid.*
12 See Chapter 6, Sections ii, iii and iv.

restored to his local position and acted as the main magnate in the south-west for the remainder of the reign, he was largely excluded from central government. His former adherents who were still involved in royal councils, like Cameron, Fowlis and, in a different way, Douglas of Balvenie, were largely pursuing their own interests, while supporters such as Michael Ramsay, who was keeper of the royal children in the 1420s, seem to have been excluded from their positions after 1431.

In terms simply of royal authority, James' reduction of the 5th earl of Douglas' power from the network of influence created by his father in southern Scotland must be accounted a success. By restricting Douglas in this way the King clearly made central control of the whole south, and especially of the marches, more effective. He had, moreover, accomplished this without any indication of unrest in the earl's area of influence. This was probably the result of the King's links with the Black Douglas family, and allowed him to maintain a working relationship with the earl for almost all of the reign.

In other areas of the kingdom James showed himself equally keen to expand the influence of the crown. The most obvious parallel with Douglas is provided by Alexander, earl of Mar. Like the Black Douglas family, during the Albany governorship Mar had built up a large network of supporters and, although less involved in central politics than the 4th earl of Douglas, Mar's links with Murdac made him suspect in the King's eyes.[13] These suspicions probably led James to attempt initially to undermine Mar's position in the north by working with the earl's rivals, the Lord of the Isles and the Earl of Moray in the early part of the reign. However, following his visit to Aberdeen in 1426, James clearly stopped these efforts and

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13 See Chapter 1, 59-71.

gave his support to Mar's authority beyond the Mounth. In 1426-7 the earl received a confirmation of his and his son's rights to Mar and had his territorial interests widened by a grant of the strategic lordship of Badenoch and by his son's marriage to the Countess of Buchan. It was probably at this point that Mar was made the King's lieutenant in the north, which cemented his authority over crown lands and royal justice in the area.[14] The earl continued in this office until his death in 1435 without any evidence of tension with James. Mar was probably aware of his dependence on government support to protect the north-east from caterans, while the King appreciated that the earl was the best guarantee of stability in that area.

Behind this anxiety to establish a secure relationship with Mar after 1426 was the King's growing realisation that the real long-term threat to the crown in the north was posed by the MacDonald lordship of the Isles. The lordship's conflict with the Albany Stewarts had probably led the King to ignore this threat before Murdac's death, but during the Albany governorship the lordship of the Isles had acted in complete independence of the central government. Between 1402 and 1424 the lords had been constantly at war with the Governors and had undertaken frequent negotiations with England. The independence and expansionist nature of the lordship made it a clear target for royal action after 1424. James' decision to intervene in the north arose from Alexander of the Isles' failure to prevent violent raiding beyond the Mounth and his defiance of the King concerning the lordship's title to the earldom of Ross. The Inverness "parliament" in 1428 was, in one sense, a more drastic version of the King's expeditions to Aberdeen and Melrose. It was a display of royal authority in a remote part of Scotland, graphically

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14 See Chapter 4, Section iii.

emphasised by the arrests of Alexander and his northern supporters. The King aimed to use custody of the Lord of the Isles to obtain his resignation of Ross and to establish some form of control over the lands of the lordship. James hoped to achieve this by working either with Alexander's uncle, John mor of Dunivaig or, after his murder, with Alexander himself, who was released on a promise of good behaviour. The failure of this policy, when Alexander burned Inverness, led to a massive royal intervention in the north in 1429. The spectacular success of the King in Lochaber and the surrender of Alexander encouraged James to embark on a more ambitious scheme in the lordship. In 1430 and 1431 royal forces seem to have been active in the north and in Kintyre, and after the capture of the lord there are signs that some mainland vassals of the lordship transferred their support to the King and his lieutenant, Mar.

The King seems to have been hoping to dismantle much of the power of the lordship on the mainland and to prevent it from posing a major threat to the crown in the north and west. This policy proved to be beyond the resources of James and his supporters and the defeats his forces suffered in October 1431 led him to reach a compromise with Alexander. The lord was again released but the royal attack on the lordship clearly had the effect of keeping him quiescent and, to a degree, responsible to government influence.[15] However, this situation only lasted until Mar's death in 1435. In the last two years of the reign the King, clearly unable to maintain the block on the eastward expansion of the lordship without his main local agent, was forced to accept Alexander's position in Ross. Alexander of the Isles was, though, apparently not acting in defiance of the crown and during the minority of James II he consciously acted as a member of the political community. Compared with the

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15 See Chapter 5.

independent stance of the lordship during the Albany governorship, this suggests that the King's attack had restored, at least, the nominal authority of the crown in the isles.[16]

The support of James I for his uncle and nephew, the Earls of Angus and Atholl, in the furthering of their local interests was also designed to increase the influence of the King in these localities. James deliberately fostered his own personal links with these magnates and aided them in building up their positions in the belief that this was the most effective way of exercising his own authority. The King's backing of Atholl in Perthshire ensured the predominance of a royal supporter in an area where the Duke of Albany had held considerable influence, and Atholl also possessed the local following to police the highland parts of the sheriffdom.[17] Similarly, James' support of Angus was based on doubts about his rivals, Douglas and March, and on the King's wish to establish a trusted lieutenant in power on the Anglo-Scottish border.[18]

In both Perthshire and the south-east the King was successful in promoting the interests of his supporters. The grant of Strathearn to Walter, earl of Atholl and the compensation given to Malise Graham shows James in control of patronage at the highest level. The King saw the promotion of men he trusted to local predominance as an effective way of complementing his own influence, and both Atholl and Angus achieved a degree of local success. Atholl extended the judicial and, presumably, the political control of the government into northern Perthshire, and Angus succeeded in defending his own and the crown's influence in the marches against the English and the Dunbars. However, James' reliance on authority exercised indirectly through men with entrenched local positions like Angus, Atholl and

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16 See Chapter 7, Section i.
17 See Chapter 4, Section iv.
18 See Chapter 7, Sections ii and iii.

Mar indicates the King's limited power. The support which he gave these three earls created differing problems for James in the areas which the magnates were supposed to be running in the crown's interests. For most of the reign, though, James was able to use his relations with the earls to extend his control of the kingdom in a more effective manner than his predecessors.

Connected with the King's consistent ambition to increase the influence of the crown in the localities were other changes in the standing of the monarchy from its pre-1424 position. These changes were encouraged by the break in royal government and the King's own absence. Perhaps most striking among these was the change in the geographical interests of the monarchy under James I. Robert II and III as established west coast magnates largely clung to this role once they had become Kings. The limited authority they enjoyed elsewhere clearly made them more anxious to entrench their position in the Stewart heartlands in Ayrshire and Renfrew. This was especially true of Robert II between 1404 and 1406 when he concentrated on building a secure western principality for his younger son and heir, James.[19]

However, despite this personal link with the west, James was clearly not prepared to act as a west coast magnate or even use the area as a territorial base. In 1424-5 he used royal supporters from the area, but from the beginning he was determined to centre his government on the east coast, the traditional royal heartland. The King's actions in the first year of his reign were partly designed to allow him to operate in the east. Control of Edinburgh, Stirling and, to a lesser extent Perth, was returned to the crown, and major landed rivals in Lothian and Fife were dealt with by James' treatment of the Albany Stewarts and Black Douglases. The forfeiture of March

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19 See Chapter 3, 150-55.

later in the reign removed the last major territorial lordship from the south-east. After 1425 James used the axis between Stirling and Edinburgh as the centre of his influence. The construction of Linlithgow as a major royal residence is a good indication of this, and the King also established close links with Lothian families like the Crichtons, the Hepburns and the Livingstons.[20] These men served James in effect like an affinity, and it is not surprising that Stirling and Edinburgh were royal strongholds in 1437 while Perth was not. Nor was it an accident that the struggle for control of central government in the minority of James II was between the royal agents in this area, the Livingstons in Stirling and Linlithgow and the Crichtons in Edinburgh. James I re-established the geographical associations of the crown with Lothian and the south-east and handed them on to his successors in terms of both royal residences and personnel.

The King's re-establishment of an eastern-orientated monarchy and his attempt to expand royal influence in the localities was paralleled by his desire to increase the prestige of the Scottish crown by spending heavily on the physical trappings of his rule and taking an active role in foreign diplomacy. The opportunity for both activities was, ironically, aided by the initial restriction of having to pay a ransom to England. By abandoning payment James released large sums of money for his own expenditure. Much of these funds was spent on items which would directly enhance his personal status. Expenditure on jewellery and clothing for James and his Queen, and the reputation he had for holding court in style, suggest a more lavishly adorned household than that which accompanied his predecessors. Similarly, James began the Stewart obsession with military hardware, creating a royal artillery train to meet the needs

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20 See Chapter 6, Section iii.

of the fifteenth century arms race. Finally his building projects, principally at Lintlithgow and the Carthusian Priory at Perth, suggest a different approach to previous Scottish rulers. Linlithgow was an unfortified palace not designed for its military value but for the comfort of the court and, in founding a Charterhouse, James was clearly following European trends.[21]

James' foreign diplomacy suggests that he was more conscious of his kingdom's potential role in Europe than his predecessors. He was initially bound to England by the terms of his release, but from 1428 turned payment of the ransom into a bargaining counter in his relations with Henry VI's minority government. His marriage to Joan Beaufort in 1424 was balanced by the French alliance of 1428, which was fulfilled eight year later when his daughter, Margaret, married the Dauphin. These two marriages marked the end of the period of over sixty years when Scottish Kings had not married outside the kingdom, and the French match in particular allowed Scotland into the Western European system of matrimonial alliances. James utilised the successful opportunities of the foreign situation in which England, France, and, after 1435, Burgundy, were all bidding for his support. His disastrous entry into this three-sided conflict in 1436 was based on his perception of the strategic situation in Western Europe. The King's personal involvement in European diplomacy was apparently not shared by previous Stewart Kings and Governors, though it was foreshadowed by the activities of several magnates before 1424.

The King's first-hand experience of Western European politics and the trappings of monarchy in England and France must account for his different approach to his predecessors in the style of his court, his architectural and ecclesiastical interests and even his desire to re-establish royal control of south-east Scotland, the area

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21 See Chapter 6, Section i.

tradtionally regarded as the route of contact with Europe. It has been suggested that James' wider perceptions of government and monarchy were also a product of his experiences in exile. The similarity in aims and style is most obvious between James and Henry V, the English King with whom James was primarily in contact. As a model of active monarchy, Henry V certainly compared favourably with Robert III, and James may have identified his own position in 1424 with that of Henry in 1413. Like James, Henry V inherited the throne following a period of low prestige for the crown and his initial goal was the restoration of royal authority. Henry's success in this and his welding of the English nobility into his military subordinates in the war against France and into a group who were, at the same time, obedient to his domestic control may well have been viewed by James as an ideal.[22]

Although the greater centralisation of political power in England made the natural authority of the crown stronger than in Scotland, there are valid comparisons to be made between James I and Henry V. The importance to James of his royal status and prerogatives and the authoritarian stance which contemporaries indicate he adopted towards his chief subjects may not have been totally a result of his own personality, but also copied from Henry V. King James' view of his magnates as royal agents may also have derived from his English experience, and the conflict against the lordship and the war with England in 1436 possibly compare in their domestic aims with Henry's war in France. In both instances James hoped to make use of tax revenue to raise paid forces, and the magnate involvement in the 1429 campaign was sufficient to suggest a temporary unity behind James in the attack on the lordship.[23] The

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22 Harriss (ed.), *Henry V*, 31-51.
23 See Chapter 5, 307-308; Chapter 6, 357-59; Chapter 7, iii.

failure of both of James' military adventures following single setbacks at Inverlochy and Roxburgh indicates that the King's long-term aims in his attack on the lordship and his intervention in the Anglo-French war were beyond the strength of the Scottish military system or the will of the political community to achieve.

If James can be identified, to some extent, with Henry V, then the contrasts in terms of their real positions and results is striking. While Henry restored the full prestige of the English crown in two years, James can never really be said to have securely established his control in the same way. Henry's authority, even when exercised harshly or arbitrarily, was accepted and obeyed by his magnates. James was subject to obstruction and was felt to be overbearing, even tyrannical in his dealings with his chief subjects. This was partly to do with the political circumstances in which the two men were working, which made the authoritarian approach acceptable in England, less so in Scotland. However, Alexander Grant suggests that James lacked "Henry's skill at man-management", preferring "masterfulness". This may be true but, in comparison with Henry, James started with a considerable handicap which coloured his whole reign.[24]

Henry V was very much at the heart of his political community. From 1401 to 1408 he was continuously involved in the Welsh war along with a large number of magnates who served in his retinue. From 1408 to 1413 he was active in central politics, again with considerable noble support. By the time of Henry's accession, the English magnates were used to working with the new King in both war and politics and were, as a group, of the same generation as their ruler.[25] Such contacts and knowledge of character were entirely

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24 A. Grant, 'Duncan, James I, a review', in *S.H.R.*, lxvii (1988), 82-83.
25 Harriss (ed.), *Henry V*, 31-51.

lacking from James' experience. In 1424 he was essentially an outsider to Scottish politics. While he used this to his advantage in winning support in the first year of his reign, this lack of contact with his subjects was a problem in the long-term. The King's links with the political community were essentially via those men who had visited him in exile or through families which had been closely associated with Robert III. The extent to which he relied on men like Angus, Orkney, Alexander Forbes and Walter Ogilvy, who fell into these categories, shows the importance of such ties, but even with these men, James had no overlap in experience.[26] While James was in the Anglo-Burgundian camp, his subjects had fought for the Dauphin, and the fact that the King was young for his generation in the Stewart family increased this isolation. Albany, Buchan, Mar, the 4th earl of Douglas and Atholl were all older than James as well as being entrenched in their local positions, and the return of this unknown quantity to active rule, while serving the interests of some nobles, surely left none of them feeling completely secure. In this sense, James' closest English counter-part was not Henry V but Richard II, a King with an alien feel to his rule, surrounded by politically established and experienced kinsmen, creating an atmosphere of tension at the highest level.

There are strong indications that such an atmosphere of tension prevailed in politics during much of James I's reign. The King probably faced too many difficulties in handling his chief subjects ever to feel completely secure, and the major Scottish magnates were certainly not comfortable with their ruler. The accounts of Bower, Shirley and the *Liber Pluscardensis* all suggest that a degree of

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26 See Chapter 1, 74-75.

mutual mistrust was a feature of crown-magnate relations in this reign.[27]

The fears of the magnates about their future under their little known and newly returned King must have been confirmed by the first year of his active reign. The destruction of the Albany Stewarts, although the basis of James' authority must also be seen as the cause of much of the insecurity felt by the Scottish higher nobility as a group. James firstly showed himself prepared to seek retribution for his own fate and the fate of his family as part of a general restoration of royal rights. The Albany Stewart family's responsibility for Rothesay's death, Robert III's political eclipse, and James' long imprisonment played a part in the King's decision to take action against them. This display of vindictiveness held serious consequences for the other families implicated in these events, and was a clear illustration of the style of monarchy which James was to adopt. The treatment of allies of the King like the Black Douglases was the first indication that even James' supporters were not secure if their local ambitions conflicted with those of their ruler. The execution of Albany and his kin must have added to magnate fears despite their implication in the act. The fate of the leading noble family in the kingdom, close in blood to James, was a worrying example to the other earls of the extent to which the King would go in any dispute with his nobility.

Magnate insecurity can only have been heightened by the King's determination to increase royal authority following the execution of Albany. The treatment of Douglas in 1426 and 1431, and the threat which James seemed initially to pose to Mar, must have confirmed worries that the networks of influence established during the Albany

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27 *Scotichronicon*, XVI, Ch. 33; *James I, Life and Death*, 49-50; *Liber Pluscardensis*, XI, Ch. ix.

governorship were liable to come under pressure from the new King. In effect there was a difference between James and his nobility in the way in which the role of his chief subjects in the localities was perceived. James' view of the major magnates as his local agents whose roles could be altered to suit the needs of royal government ran counter to the experience of the previous fifty years. The early Stewart experience of the balance between crown and nobles was one in which the interests of the latter predominated. The Albany Stewarts from the 1370s, the Black Douglases from 1388, Mar from 1404 and Atholl from 1415 all built up networks of local influence which seem to have functioned largely to the exclusion of the central government. The degree to which the Douglas earls controlled the situation on the marches, and Mar provided the government's only influence beyond the Mounth during James' absence, must have led to the real authority of the Governors being restricted to a belt of central Scotland.

James' achievement in establishing his authority over his chief subjects would seem to suggest that he was successful in changing this perception of the nature of power in Scotland. His removal of Albany, Lennox, March and John Kennedy and his links with Mar, Atholl, Angus and Douglas apparently show the King in control of his magnates. It is less clear that this display of influence altered the local aspirations of these men. For example, Mar continued to act in the north-east much as he had done during the Albany governorship with the support of James, and March's local influence was largely replaced by Angus, who may have seen his role not as his uncle's lieutenant but in terms of his own regional ambitions.[28] The career of Atholl during the reign is the best example of James' inability to alter his magnates' local goals. Control of Strathearn

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28 See Chapter 7, Section ii.

and the main local offices in Perthshire were given by James to Atholl as rewards for his support against Murdac. The King hoped that Atholl would police a difficult area of the kingdom, but the earl regarded his position as one of local predominance in Perthshire which he had been working his way towards since the 1380s. Therefore the earl's response to James' attempt to remove crown lands in Perthshire from his possession in the 1430s was, ultimately, to launch the conspiracy which resulted in the King's assassination. Just as he had employed political violence against his local rivals in Strathearn during the Albany governorship, Atholl launched an attack on the King when the latter became a threat to the earl's interests in Perthshire.[29] Thus although the reality of an active and aggressive King was the major factor in determining the positions of all the main magnates before 1424, there was no real change in the nature or scale of the ambitions of this group during James' reign. If James was successful in pressing for the rights of the crown against men like Douglas and Atholl in the areas of their local interests, it would create resentment which would raise the level of crown-magnate tension both locally and nationally.

The actions of landowners below the level of the main territorial lords also suggests a limit on the authority which James appeared to have been successful in establishing. Although these men did not generally oppose the King without magnate backing, there are indications that many members of the Scottish political community had stronger ties of loyalty to local magnates than to James. Given the nature of royal influence since 1371, this is hardly surprising, but it did act as a source of trouble for James. The local legacy of hostility which James I's destruction of the Albany Stewarts created is an example of this. In the estates of Albany and his allies,

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29 See Chapter 8, Sections ii and iii.

especially Fife, Lennox and Perth, strong pro-Albany sentiments survived to re-emerge in 1437. The involvement of ex-Albany men from Perth and Fife in Atholl's attack on the King and the establishment of the Duchess of Albany's influence in Lennox show the continued existence of men who harboured grievances about the events of 1425.[30] The incorporation of a number of such men into Atholl's following may have been a deliberate policy, but the link with Albany remained nonetheless.[31] The fears of the King about Murdac's son, James, in exile in Ireland, must have been based on the existence of these irreconcilables.[32]

The networks of supporters which had been built up during the Albany governorship by the Black Douglases, Mar and Atholl were large and independent by fifteenth century Scottish standards, but such affinities were a natural feature of politics and government. However, it is surely significant that three men who were closely connected with James and his family can be shown to have retained their chief contacts with their local communities. Alexander Forbes was a vassal of Mar who enjoyed close personal ties with James both before and after his return to Scotland. He was especially active as a link between the King and the earl, but, following Mar's death, Forbes showed his principal loyalties to be with his local community. From 1435 Forbes opposed James' takeover of the earldom of Mar and took violent action, immediately after the King's murder, in support of a new earl.[33] The King's choice of Michael Ramsay and John Spens as the custodians of his son and heir is even more striking. Ramsay was the Earl of Douglas' keeper of Lochmaben, and Spens was Atholl's deputy sheriff of Perth. To entrust the Duke of Rothesay to such men

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30 See Chapter 4, Section i.
31 *ibid.*, Section iv.
32 *ibid.*, Section i.
33 See Chapter 1, 73-75; Chapter 4, Section iii; Chapter 7, Section i.

suggests both that James trusted Douglas in the 1420s and Atholl in the 1430s, and that the King believed he could override the links of Spens and Ramsay with the earls. However, the potential problems in this arrangement are clear from Ramsay's dismissal in 1431 when Douglas was arrested and, despite considerable royal patronage, Spens' control of Rothesay was almost certainly an integral part of Atholl's coup against James.[34] The presence of other Atholl supporters like Robert Stewart and Thomas Chambers in the royal household, which proved fatal to the King in February 1437, is a further indication that James was forced to rely on adherents of Earl Walter in sensitive positions. The behaviour of Atholl and Spens in 1437 most drastically illustrates, at two levels, the lack of any natural authority during the reign.[35] James' success in extending his influence over the magnates in the localities must, in this light, be seen as being largely based on his personal qualities and the examples of his treatment of previous opponents.

Bower clearly indicated the problems which James faced when referring to the "misguided failure of respect" for the King. He adds that "this was seen not only in the bitter bloodshed involving the personal household of the King, but also in the lack and want of healthy deliberation and loyal financial help on the part of all three estates".[36] While the "bitter bloodshed" clearly referred to the events surrounding James' death, it appears from this that the King faced other areas of opposition from his subjects. Bower is principally drawing attention to James' stuggle with parliament to obtain grants of taxation. During his thirteen year reign the King sought possibly as many as ten grants from the political community. Initially this was to maintain the yearly instalments of the ransom

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34 See Chapter 6, 397-98, 405; Chapter 8, 557-60, 575-76.
35 See Chapter 8, Sections ii, iii and iv.
36 *Scotichronicon*, XVI, Ch. 28, l. 21-26.

due to England, but even then James experienced obstruction which prevented him from raising the money in two out of the opening four years of the reign.[37] In conjunction with the increased political demands placed by James on his magnates, these financial demands must have created a sense of pressure in the relations between the King and the estates.

This pressure was temporarily relieved by the abandonment of efforts to pay the ransom, a stance which brought James political and financial freedom of action in the short-term and allowed him to spend heavily on his own needs and pay for expeditions into the highlands. However, the ultimate consequence of James' personal use of the ransom money was the first major crisis since 1425. The King's reliance on the contribution for his ransom for the attack on the lordship and his own needs meant that when the funds were exhausted in 1431 James was forced to seek a new grant of taxation. The defeat of royal forces by the lordship in October 1431 made taxation crucial for the survival of his highland plans, but James' position in the lordship was weakened by his clash with Douglas and, more importantly, by the refusal of the estates to entrust the tax money to a King who had appropriated earlier funds for his ransom. The terms placed on the tax suggest a humiliating lack of faith in the King, and James chose instead to reach agreement with the Lord of the Isles.[38]

The experience of October 1431 was clearly serious enough to cause James to change his policy. From 1431 he seems to have been seeking to establish a secure financial base for the monarchy through royal rights and lands. His annexation of the earldoms of Mar and March represent the major results of this policy, but both of these

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37 See Chapter 6, Section i.
38 See Chapter 6, Section iv.

gains in terms of landed resources were balanced by political considerations. The King's financial demands in the north-east clearly alienated local opinion and prepared the ground for the massive power-struggle in the area following his death, while in the east march, the attack on the Dunbars led to a major local conflict during the reign. Although these local disputes were not entirely due to royal actions and although James' supporters were largely successful in the south-east, it is clear that both areas were destabilised as a result of the King's intervention. James' search for increased royal revenue was therefore a repeated source of friction with the political community. The decision to rely on crown lands and rights reduced the King's financial conflicts in parliament but it must have worsened his relations with individual magnates. The forfeiture of March and royal actions in Mar surely increased the insecurity of the rest of the nobility, faced with a King actively seeking new sources of income.[39]

The final crisis of the reign, which resulted in the King's murder, was , like the events of 1431, due to a combination of an external defeat, a clash between James and the estates about raising a tax to remedy the defeat, and the King's alienation of one of his main subjects. The fiasco at Roxburgh was contributed to by James' existing problems on the borders, and the King's attempt to levy money to renew the war, at a general council in October 1436, was, in the light of the events of 1431, a risky move.[40] The uproar at the general council created an atmosphere of political unease which was exploited by Watler, earl of Atholl. The King's anxiety to extract the full revenue from crown lands had led him to remove his Perthshire estates from Atholl's control and he seems in other ways

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39 See Chapter 7, Sections i and ii.
40 See Chapter 7, Section iii; Chapter 8, Section iii.

to have made the earl fear for his family's long-term security. Unlike Douglas, Atholl was prepared to take drastic action against James, and the assassination plot of February 1437 was intended as part of a coup d'état which aimed at the elimination of the King and Queen and would also give Earl Walter possession of the new King. The failure of the conspirators to kill Joan or obtain control of James II left them in a difficult position, but the flight of Joan and her supporters to Edinburgh and the dubious loyalty of Perth in the month after the murder suggest that Atholl retained his local influence. The result was a brief civil war between Atholl's adherents and those of the Queen in which the latter were victorious. The minority government established for James II was headed by Joan and based on her husband's closest supporters, led by Angus, Cameron and Crichton.[41]

The death of the King and the victory of his followers over Atholl have obscured the real fate of his regime. Before the end of 1437 the Earl of Douglas had replaced the Queen as the head of the minority government and over the next eight years the party which represented James I's supporters was excluded from power and then largely destroyed in a civil war. The defeat of those closest to the dead King's policies must reflect on the stability of James I's position. It also shows the extent to which the changes in Scottish politics since 1424 were dependent on the personal qualities of the King. Bower's account of the reign reads very much like the description of a ruler who kept his subjects in check by the force of his own personality. Stories in the *Scotichronicon* about James being restrained from executing those who offended him and the suggestion

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41 See Chapter 8, Sections ii, iv and v.

that fear of antagonising the King was the basis of his control of his magnates creates an impression of this kind of personal rule.[42]

The problem with this situation was that James' style of kingship was not designed to create a stable relationship with his magnates. The energy and aggression of the King, attested to by Bower, are borne out by a simple examination of James' activities during the reign. The other attributes of the royal character referred to by the chroniclers, James' "covetise" and vindictiveness clearly combined with his political ambitions to make the position of his chief subjects uncomfortable.[43] However, in terms of his problems with the nobility, the King's most worrying feature was the political flexibility, amounting almost to duplicity, which he frequently exhibited. His basic tactic when faced with opposition seems to have been to gain custody of the leaders of dissent. Walter Stewart, Lennox, Murdac, Alexander of the Isles and March were all arrested without apparent resistance, in most cases after having been summoned to the royal presence. Such a method would hardly encourage trust in the King or his safe-conducts, and neither would James' handling of men who thought they had earned royal patronage. Murdac, Douglas and Atholl had all worked closely with James before having their positions undercut by the King. It is surely significant that in October 1431 the estates as a whole made clear their mistrust of the King's reliability in handling money. This lack of trust can hardly have been the product of good relations between crown and community.

Perhaps the most interesting indications of the King's character come from conflicting contemporary evidence. Bower states that James was killed because "on the day of his death he had forgotten to have

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42 *Scotichronicon*, XVI, Ch. 33, l. 52-64.
43 *James I, Life and Death*, 64; *Leslie's Historie*, C, Ch. 44.

brave men with him. Because nearly everything turned out successfully for him as he wanted, he had no fear of anything that would harm him".[44] This view is supported by the English description of James in 1430 as being "at hoom in his land, a fel, a ferseyng man and havyng greet experience".[45] However, in 1430 and 1432 the King himself issued a supplications for plenary absolution at the point of death because "it sometimes happens that the King is in many and divers dangers in defence of his country and otherwise".[46] These supplications may indicate royal anxiety throughout the reign about facing a violent death, and it may be in connection with this that James was pronounced by the papal nuncio to have died "like a martyr for his defence of the common weal".[47] The contrast between the public image of a King living unguarded in unfortified residences and depending for his security on the personal prestige and reputation for success which he had built up, and the apparent private fears of James about the kind of death he was eventually to meet, is striking. It suggests an awareness that some kind of violent death was the possible price for his efforts to restore the position of the crown.

Despite Bower's description of James I's reign as a "golden age of peace", it is hard to see the period as anything other than one of political turmoil at the highest level.[48] Given James' character and ambitions and the situation he inherited in Scotland, such turmoil was surely inevitable. James' thirteen year reign seems to have been an almost continual series of disputes between the King and the men who had established areas of local predominance during his absence. The main conflicts against Albany, the Lord of the Isles and, after James' murder, Atholl were interspersed with periods of general

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44 *Scotichronicon*, XVI, Ch. 36, l. 1-5.
45 *P.P.C.*, iv, 75.
46 *C.S.S.R.*, iii, 144.
47 *Liber Pluscardensis*, XI, Ch. ix.
48 *Scotichronicon*, XVI, Ch. 35, l. 1.

tensions and lesser disputes. In this sense the influence and prestige which James established were an indication of his personal ability and re-created the practice of strong, active monarchy in Scotland. However, this success seems to have remained personally based and the evidence of crown-magnate tensions in parliament and the localities throughout the reign surely show that insecurity on both sides was never overcome and that the King remained, in many ways, an outsider in terms of Scottish politics. In the final analysis, perhaps James' most significant achievement was in providing this model of strong kingship, which was to be followed by his son, and in establishing a secure landed base for the Stewart monarchy in central Scotland, from which James II could extend his authority. As Bower's eulogy for the dead King suggests, James I's reign was perhaps best appreciated in retrospect.

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